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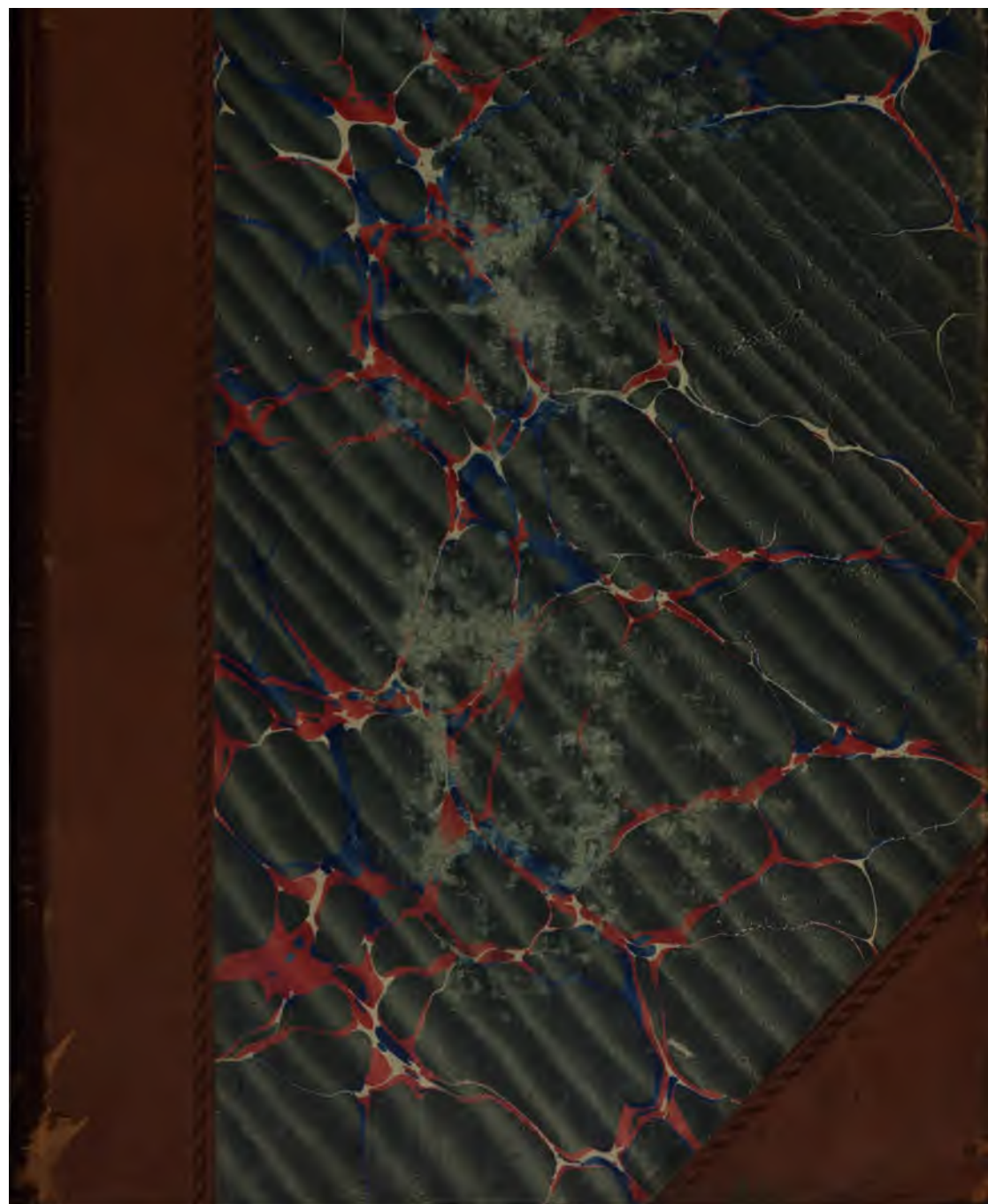
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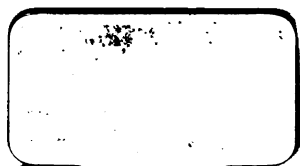
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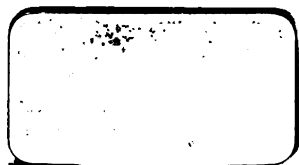
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THE
HISTORY OF ENGLAND,

FROM THE
ACCESSION OF GEORGE III.,

1760,

TO
THE ACCESSION OF QUEEN VICTORIA,
1837.

BY THE REV. T. S. HUGHES, B.D.,

CANON OF PETERBOROUGH.

BEING THE COMPLETION OF THE HISTORY OF ENGLAND FROM THE INVASION
OF JULIUS CÆSAR, TO THE PRESENT REIGN.

THIRD EDITION.

WITH THE AUTHOR'S CORRECTIONS, IMPROVEMENTS, AND ENLARGEMENT.

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PARLIAMENT met on the ninth of January, when, contrary to expectation, the king's speech took no notice of the public discontents, though it lamented the gene-

Meeting of
parliament.

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Debates on
American
and domes-
tic affairs.

ral distress, which was likely to be augmented by a fatal disease among the horned cattle:¹ it adverted to the dissatisfaction still prevailing in America, and disturbances on the continent; but expressed a desire and hope of maintaining this country in peace.

Lord Chatham had by a temporary secession from public business recovered his health; while his mind, which had long been trembling on the balance, was tranquillised by a reconciliation effected between himself, lord Temple, and Mr. Grenville: with health and spirits, his eloquence also returned; and the administration felt his power, like that of a giant refreshed. On the motion for an address, he declared, 'that the alarming state of the nation forced him once more to come forward and execute that duty which he owed to his God, his sovereign, and his country; and which he was determined to perform at the hazard of his life:' he then took a general review of measures since the peace of 1763, which he blamed, as having left us without an ally, while France had been successfully cultivating her connections: but he lamented still more those unhappy acts which had severed the affections of our colonies from Great Britain; though, as the house had no documents, he would not call their proceedings unjustifiable: no part however of the address bore a comparison, in point of interest, with what regarded the internal discontents of the country: to these he strongly called the attention of their lordships; since their privileges, however transcendent and appropriate to themselves, stood in fact on the people as a basis: the rights of the greatest and meanest subject had the same foundation, the security of the law, common to all. He affirmed that the liberty of the subject was invaded, not only in the provinces, but at home: the people were loud in their complaints, and would not be pacified without a redress of grievances; nor ought they; for it were better to perish in a glorious contention for their rights, than to purchase a slavish tranquillity at the expense of the constitution: finally,

¹ This speech was the occasion of much wit and ridicule in different publications, and gave rise to the name of the 'horned cattle session.'

he moved an amendment, purporting, 'that the house would with all convenient speed take into consideration the causes of prevailing discontents, and particularly the proceedings of the house of commons, respecting the declared incapacity of John Wilkes; wherein a resolution of a single branch of the legislature had refused to the subject his common right, and deprived the electors of Middlesex of their free choice of a representative.'

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Lord Mansfield opposed this amendment, though he acknowledged the distracted state of the nation. Declarations of law, he said, made by either house of parliament, were attended with bad effects, and in his judicial capacity he never honored them with the slightest degree of regard: he considered general warrants illegal, but was sorry the house of commons should declare them so by their vote. He next pointed out the distinction between general declarations of law, and particular decisions which might be made judicially by either house, on a case properly subject to their jurisdiction: a question relating to the seat of a member could only be determined by the house itself, whose judgment was final, and must be received as law. He avoided entering into the merits of the late decision, as the lords had no right to discuss the subject: the amendment, he thought, was a gross attack on the privileges of the commons, calculated to create a quarrel between the two houses, or between the king and the commons; for if the king should dissolve parliament, the next house, if they knew any thing of their own privileges or of law, would, on the first day of session, declare such proceedings to be a violation of their rights.

Lord Chatham began his reply by extolling the use of common sense above subtilty and ingenious refinement: the constitution, he observed, had been openly invaded, and he heard with horror and astonishment that invasion defended on principle: he distinguished between the legislative and jurisprudential functions of the house of commons; denying that it had a supreme jurisdiction, or that its decision must be

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received as the law of the land. Why, he asked, were the generous exertions of our ancestors made, to secure and transmit to their posterity a known law and a certain rule of living, if, instead of the arbitrary power of a king, we must submit to that of a house of commons? Tyranny is detestable in any shape; but particularly when exercised by a number of tyrants: but this is not the fact or the constitution. There is a law of parliament, and a code in which every honest man may find it: it is in Magna Charta, in the statute-book, in the bill of rights. What security could we have for our rights, if it were admitted that a court of judicature might determine questions, not by any known positive law, but by some vague and arbitrary rule?

He denied that precedents were law; they were merely evidences of law, and of no authority, unless founded on and confirmed by reason, not contradictory to any positive law, unquestioned by the legislature, and not adverse to the spirit of the constitution. The first principle of our constitution is, that the subject shall not be governed by the will of any man or body of men, but by the whole legislature, and by certain laws to which he has virtually given assent; which are open to him to examine, and not beyond his ability to understand: but the late decision is destitute of every condition essential to its legality; being unsupported by reason, precedent, Magna Charta, or the bill of rights. 'Whether it be questioned by the legislature,' said his lordship, 'will depend on your resolution: that it violates the constitution, no man, who has heard this day's debate, can deny; yet, if we are to believe the noble lord, this grievance admits not a remedy, is not capable of redress; but I have better hopes of the constitution, and a firmer confidence in the wisdom and constitutional authority of this house.' After praising the ancient nobility as founders of the constitution, and invoking the house not to degenerate from the glorious example of their ancestors, he said;—'Those iron barons (for so I may call them when compared with the silken barons of modern days) were

the guardians of the people; yet their virtues were never engaged in a question of such importance as the present. A breach has been made in the constitution—the battlements are dismantled—the citadel is open to the first invader—the walls totter—the constitution is not tenable. What remains, then, but for us to stand foremost in the breach, to repair, or to perish in it?’

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This manly eloquence of the earl of Chatham was supported by the arguments of lord Camden: the warmth of the former seemed indeed to have communicated itself to his friend: ‘I accepted,’ said he, ‘the great seal without conditions; I meant not therefore to be trammelled by his majesty; (I beg pardon) by his ministers; but I have suffered myself to be so too long; for some time I have beheld with silent indignation the arbitrary measures of a minister; I have often drooped and hung down my head in council; and disapproved by my looks those steps which I knew my avowed opposition could not prevent: I will do so no longer, but will openly and boldly speak my sentiments.’ He agreed with lord Chatham respecting the incapacitating vote of the house of commons; and accused the cabinet, by implication, of having formed a conspiracy against the liberties of their country. The amendment was negatived.

In the house of commons also an amendment to the address was moved by Mr. Dowdeswell, and the debate on this motion brought down a severe reprehension of the late ministerial measures: colonel Barré observed, ‘that a great part of the king’s subjects were alienated from him; England was in opposition to its own representatives; in Ireland, parliament was prorogued because it had supported the true constitutional right of taxation; the colonies were in actual rebellion, on account of taxes confessedly imposed, not for gain, but as a mere test of obedience; and perhaps, to crown the whole, France was on the eve of a war with us.’ The marquis of Granby was dissatisfied with the vote he had given on the Middlesex election, and wished the house would

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re-examine their resolution: lord North declared he never would consent to annul the resolutions of the house; and sir Fletcher Norton averred that they could not be altered but by an act of the whole legislature. The amendment was rejected by a majority of 254 to 138.

On reporting the address, another debate arose, from an objection made by sir W. Meredith, that to thank the king for his approbation of their conduct would imply an approval of the decision respecting the Middlesex election. Sir G. Saville accused the house of having betrayed the rights of the people; and being threatened with the Tower by general Conway, was defended by serjeant Glynn, and also by Mr. Burke; who, conscious of the popularity of his cause, which was also that of the constitution, challenged the ministry to punish sir George if he was a delinquent: the people, he said, abhorred the present ministers; and he asked the speaker whether he did not perceive his chair trembling under him: sir George Saville having repeated the offensive words, Mr. Charles Fox² descanted on the licentious language introduced into the house: Mr. Burke replied; but there was no division.

The strength displayed by the opposition, the reviving eloquence and popularity of lord Chatham, a combination formed between his friends and the Rockingham party, together with a division among the ministers themselves,³ gave signs of an approaching dissolution of the cabinet. Lord Camden having been dismissed from his high office, every effort was made to embarrass the government, and to throw difficulties in its way when a successor was to be provided: lord Temple deprecated any attempt to supply his place with some obsequious lawyer; and lord Shelburne observed, that the great seal must go a begging; but he hoped there would not be found a wretch suffi-

¹ This is the first time any speech of that statesman is recorded in parliament.

² Beside lord Camden in the house of lords, Mr. Dunning, solicitor-general, and lord Granby, commander of the forces, divided with the minority in the house of commons.

ciently base and mean-spirited to accept it on such conditions as would gratify the ministry.

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Death of
Mr. Yorke.

Under these circumstances, it was offered to Mr. Yorke, who had filled the offices of solicitor and attorney-general, and was universally respected for his talents, integrity, and high literary attainments: the unsettled state of affairs, and the opinions of many among his friends, made him very reluctant to accede to this proposal; but the earnest anxiety of the king himself, who represented the acceptance of the great seal by Mr. Yorke as essential to the public service, prevailed over his better judgment, and rendered him forgetful of a promise made to his brother, that he would not accept it. He was immediately raised to the peerage by the title of lord Morden, but did not live to see the patent completed. Distressed by the averted looks of former associates, and refused admittance, as it is said, when he called at his brother's house, his sensitive mind sank under the intensity of his feelings; and in a fit of despondency he put a period to his existence.⁴ His loss was considered a national calamity; since much was expected from his prudent conduct in the formation of a ministry, as well as in the pacification of our American colonies.

Lord Camden's removal was followed by the resignations of lord Granby, Mr. Dunning the solicitor-general, and several noblemen in the household. After an adjournment of the lords, which had taken place during these changes, the marquis of Rockingham made a motion for taking into consideration the state of the nation. He began by representing the unhappy condition of affairs, and general dissatisfaction of the people, as results of a change in the system, introduced by persons in whom his majesty confided; and of a dangerous maxim which they adopted, that the royal prerogative alone was sufficient to support government, whatever might be the hands to which it was entrusted. Passing the acts of ministers in review from the beginning of the reign, he ascribed the mis-

Dissolution
of the Grafton
cabinet.

⁴ It is proper to observe, that his relatives denied this imputation, and published a formal declaration, that he died suddenly from the bursting of a blood-vessel.

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chief arising from them to this principle; and concluded with recommending an early day for investigating the state of affairs: in consequence of such inquiry, the house would, he hoped, indicate to the crown means, not only of correcting past errors, but of establishing a system of government more wise and stable, better suited to the genius of the people, and more consistent with the spirit of our constitution.

The duke of Grafton said, he had no intention to oppose the motion; but rather would second it, and meet the question whenever the house might think proper: for the present, he wished only to exculpate himself from certain charges made against his domestic and foreign policy. Lord Chatham next rose, and in a long but animated speech complained vehemently of a breach made in the constitution: 'if that,' said he, 'be effectually repaired, the people will of themselves return to a state of tranquillity; if not, may discord prevail for ever! If the king's servants will not permit a constitutional question to be decided according to the forms and on the principles of the constitution, it must then be decided in some other manner; and rather than it should be given up, or the nation surrender its birthright to a despotic minister, I hope, old as I am, to see the question brought to an issue, and fairly tried between the people and the government.' After making some severe remarks on the surrender of Corsica, the augmentation of troops in Ireland, the arrears of the civil list, the waste of public money, and the evil effects of Asiatic wealth in corrupting our legislature, he offered several suggestions on the propriety of a reform in parliament. He considered the boroughs as the rotten part of the constitution; but, like the infirmities of the natural body, they must be borne with patience: the limb was mortified, but amputation might be death. To infuse new vigor, it would be necessary to augment the county and city representatives, and extend the regulation to Scotland, in order to prevent any jealousy which might arise from an apparent violation of the union.

The discussion of this important question was fixed for the second of February; but before that time, the duke of Grafton, harassed by domestic commotions, and attacked by strong invectives through the press,⁴ had resigned his office; which he ought to have quitted much earlier, when his opinion against the taxation of America was overruled. The king being thus abandoned by his minister, and braved by lord Chat-ham, as well as by the whig aristocracy, committed the charge of government to lord North. This minister, with whose administration commences a momentous era in the annals of Great Britain, was a man of elegant acquirements, and the delight of private society: brought up amidst official duties, and aiming constantly at legislatorial distinction, he acquired eminent skill in managing a debate; while his good humor and equanimity of temper secured to him as great a share of esteem and affection as was perhaps ever possessed by any statesman. During his administration, however, our national troubles went on daily increasing; though the premier thought that the country must be prosperous so long as his own power was secure, and saw no other means of obtaining that security but by a parliamentary majority. For a long period that majority adhered to one who left no art unpractised, no effort unessayed, to allure the doubtful, to corrupt the base, and to reward the faithful: yet at the same time, an opposition, few in number, but brilliant in eloquence and genius, began a splendid career, gradually working its way through the most arduous parliamentary struggles; until by its powerful energies and effective combination, it finally triumphed over popular prepossessions as well as over the servility of a court, and the obstinacy of a monarch.

Sir John Cust's state of health having induced him to resign the speaker's chair, sir Fletcher Norton was elected his successor: the earl of Halifax was ap-

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Lord North
premier.

⁴ In this year Burke published his excellent treatise, intitled, 'Thoughts on the present Discontents,' strongly opposing the duke's administration, and giving an able exposition of whig principles. In the preceding year Junius began his attacks.

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pointed privy seal, in the room of lord Bristol, who was made groom of the stole; Mr. Wellbore Ellis was selected to be a vice-treasurer in Ireland, Charles Fox a lord of the admiralty, and Mr. Thurlow solicitor-general.

The principal object of the late debates in the house of lords was to procure a vote in favor of the Middlesex electors, against the decision of the commons: with the same view Mr. Dowdeswell brought forward a motion in the lower house, 'that in judging of elections, they ought to be regulated by the law of the land, and the known and established law and custom of parliaments, which make part thereof.' This undeniable proposition, announced as a prelude to others, was calculated to reduce ministers to an unpleasant dilemma; for if they agreed to it, and rejected those that followed, they would seem to resist conclusions fairly drawn from premises which they had conceded; or if they rejected the motion at once, it would appear as if the house of commons was a capricious court, considering itself bound neither by law nor by the usages of parliament. Lord North dexterously avoided the snare, by moving as an amendment, 'and the judgment of the house on the Middlesex election is conformable to law and the usage of parliament;' which, after a long debate, was ultimately carried.

On the day appointed, February 2nd, the marquis of Rockingham made a similar motion to that of Mr. Dowdeswell, and was ably opposed by lord Sandwich, on the ground of improper interference with the privileges of the other house; which, if aggrieved, had the means of redress within its own power. He was answered by lord Chatham, who declaimed with great severity against the gross dereliction of principle shown by the commons, and their corrupt sacrifice of honor for the sake of a lawless domination: such measures, he said, were a part of that unhappy system formed in the present reign, with a view to remodel the constitution as well as the government. Since the commons had slavishly obeyed the commands of his majesty's servants; proving thereby that ministers held

a corrupt influence in parliament; it became necessary for the lords to step forward, and oppose themselves to the justly incensed people on the one hand, and to the malignant conduct of ministers on the other: their lordships were a constitutional barrier between the extremes of liberty and prerogative.

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At midnight, a motion for the speaker⁵ to resume the chair, and put an end to this discussion in committee, was carried by a majority of ninety-seven to forty-seven. Lord Marchmont immediately moved, 'that any resolution of the lords, directly or indirectly impeaching a judgment of the lower house, where its jurisdiction is competent and final, would violate a constitutional right of the commons, and tend to make a breach between the two houses of parliament.'

This motion was supported strongly by lord Mansfield and lord Egmont; the latter of whom declared that the people had no right to present such petitions as had lately been offered to the king, which in fact were treasonable.

Lord Chatham, after ironically thanking the noble lord for allowing the petitioners to retain their heads a day longer, not only defended the petitions as praiseworthy and constitutional, but also the right of the lords to interfere, where either an invasion of the people's liberty was attempted, or an unconstitutional determination made; and the case of the Middlesex electors was one which called for interference on both accounts: he conjured their lordships, by the struggles of their ancestors in the cause of freedom, not to behold with indifference so alarming a transaction; and in pressing for an adjournment of only two days, he added,—'if the constitution must be wounded, let it not receive its mortal stab at this dark and midnight hour.' At two o'clock however the question was carried in the affirmative: protests were entered against both decisions, the first signed by forty-two, the second by forty peers.

Similar discussions were attended with similar

⁵ Lord Mansfield had been appointed to this office while the great seal was in commission.

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results in the lower house; but the exertions of opposition were supported by a large majority of the liverymen of London. At a common-hall on the sixth of March, which was attended by about 3000 persons, the lord mayor spoke in strong terms respecting the violated freedom of election, and other popular topics; after which, a prepared paper, intitled 'an Address, Remonstrance, and Petition to the King,' was produced for signatures, and received with shouts of applause: it expressed strong indignation against that secret and malign influence, which, under a series of administrations, had defeated every good, and suggested every bad measure: it affirmed that the house of commons had done a deed more ruinous in its consequences than the levying of ship money by Charles I., or the dispensing power assumed by James II.; a deed, which must vitiate all the proceedings of this parliament, which cannot be valid without a legal house of commons: and it concluded with beseeching his majesty to dissolve the present parliament, and to dismiss from his councils those evil ministers who had violated its free constitution. The king, in his answer, pronounced the contents of this remonstrance 'to be disrespectful to himself, injurious to parliament, and irreconcilable to the principles of the constitution:' but the factious spirit of the people had an excuse in the folly of the government; more especially in that alliance between royal prerogative and parliamentary privilege, so dangerous to civil liberty, which began about this time, and against which a constitutional opposition was maintained up to that period when the great act of parliamentary reform was carried. A petition, or remonstrance, similar in its language, was sent from the city of Westminster; and this example was followed by the county of Middlesex, at the instigation of the Rev. John Horne, who had taken a very active part, during the late elections, in favor of the popular idol.

Release of
Wilkes.

On the twelfth of April, the term of Wilkes's imprisonment being ended, he was discharged from confinement; when he published an address to his electors, accusing ministers of tyranny, and declaring himself

ready to die in the cause of liberty. The exertions of Lord Chatham during this turbulent session were vigorous and constant: on the first of May he brought forward a bill, for reversing the adjudications of the house of commons respecting the claims of Wilkes to serve in the present parliament; in descanting on which, he declared, that a violent outrage had been committed against every thing dear and sacred to Englishmen. 'I am afraid,' he concluded, 'that this measure originated too near the throne: but I hope his majesty will soon open his eyes, and see it in all its deformity.' He was opposed by lord Mansfield, who observed, with regard to Mr. Wilkes's majority on the poll, that he was nobody in the eye of the law, and therefore colonel Luttrell had in fact no opponent: that in contested elections, application for redress of grievances is never made to the electors, or to the people at large; but to the house of commons, who are sole judges without appeal. Lord Camden considered these opinions as full of unconstitutional doctrine: he thought the decision of the house arbitrary and dictatorial; the effect of that secret influence, which was to be obeyed though it tore out the heart-strings of the constitution: the question ought to be taken in a larger sense, not as candidate against candidate, but as the electors of Middlesex against the assumed power of the commons. 'In the case of ship money,' said his lordship, 'the people justly joined in the cry, and it ceased to be a question between Mr. Hambden and the king: it was the people of England against venal and oppressive ministers. Should this bill be rejected, he trusted in the good sense and spirit of the people to renew their claim to a free and full representation in parliament, as an inherent and unalienable right.' It was rejected by eighty-nine against forty-three: a protest was signed by thirty-three peers; and before the house adjourned, lord Chatham desired it might be summoned for the fourth of May; 'for,' said he, 'I have a motion of great importance to make relative to the king.'

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Accordingly, on the day appointed, his lordship moved, 'that it is the opinion of this house, that the advice inducing his majesty's answer to the late address of the city of London, is of a most dangerous tendency; inasmuch as the exercise of the rights of the subject has been checked and reprimanded by an answer so harsh, as to have no precedent in the history of this country; and such as the Stuarts had never dared to venture on at the zenith of their power.' In the course of his speech he strove to regain his popularity in the city by unbounded adulation; but it is scarcely necessary to add that he was defeated by a large majority; while the address itself gave birth to a resolution of the house of commons, that 'to deny the legality of the present parliament, or to assert that its acts were invalid, was unwarrantable, and tended to destroy the allegiance of his majesty's subjects:' also a joint address from both houses was presented to the king, thanking him for his conduct on the occasion alluded to.

Lord Chatham, not deterred by his late failures, moved, on the fourteenth of May, for an address to dissolve parliament: he brought forward the discontents in England, Ireland, and America; and showed, from the situation of public affairs, the great necessity of a house of commons in which the people might have confidence. Speaking of the mode of reforming that assembly, he said;—'instead of depriving a county of its representatives, one or more members ought to be added to its representation, in order to counterbalance the weight of corrupt and venal boroughs:' the house however would not on this occasion listen to his arguments; but raising the cry of 'question, question,' put a rude negative on the motion. If it was satisfactory to him to obtain applause from the populace, and to receive a vote of thanks from the city of London, he enjoyed that gratification; though many persons whose opinions he could not despise, began to think that he was tarnishing the lustre of his character, and 'cancelling some of those obligations

which the country owed him for his services in administration.⁶

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Early in this session a bill was proposed by Mr. Dowdeswell, to disqualify certain inferior officers of the revenue from voting for members of parliament; their principals being disqualified from sitting in the house: both classes, it was said, were under the influence of the crown, and the departments of the revenue were becoming so numerous as to render that influence inconsistent with a free representation. The motion however was rejected, as unfair in its attempt to deprive many individuals of the rights of British subjects, on the presumption of dependence and corruption which were not proved: but an act was passed for altering the law of privilege, so far as it extended to the effects and domestics of the members of either house: lord Mansfield, who supported this motion, was accused of a desire to gain popularity; but he defended himself with great spirit. An inquiry into the accounts of the civil list during the year 1769 was a popular subject in both houses; the expenses having greatly increased, and it being inferred that the money was employed in the corruption of electors. It was answered, that the civil list being intirely the revenue of the crown, the crown had a right to expend it according to its pleasure: if an additional grant had been asked, then the expenditure might have been investigated, for the purpose of ascertaining the necessity of that grant: on these grounds the motion was negatived; and some other attempts to interfere with the management of the king's revenue met with a similar fate.

A measure of much greater importance was Mr. G. Grenville's bill for regulating the proceedings of the house of commons on controverted elections: these were formerly brought before a committee of the house, not bound by oath; by which means public business was greatly impeded; while, among so many judges, party feelings and personal interests

Mr. G.
Grenville's
election
bill.

⁶ Ellis's Original Letters, second series, vol. iv. p. 528.

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America.

were often found to bias their decisions. Mr. Grenville therefore proposed a plan analogous to the trial by jury: in the first instance the presence of at least 100 members was required; when the names of all were to be put into six boxes, and drawn out till they amounted to forty-nine; of these the litigants were alternately to strike off one, till they were reduced to thirteen; who, with the two nominees, were to be sworn a select committee, invested with power to examine records, papers, and witnesses, and to determine conclusively on the case. This bill was strongly opposed in the commons during all its stages; and at the third reading its rejection was moved by Mr. Wellbore Ellis, who was seconded by Charles Fox, at this time a strenuous advocate of regal prerogative and ministerial influence: but though lord North and several members of administration supported the opposition, it passed into a law, and is considered to have had a very beneficial effect on the legislature.

American affairs began early in the session to occupy the attention of parliament, in consequence of a petition presented from some British merchants, stating the immense losses which they had sustained by the non-importation of their goods. On the fifth of March, lord North proposed a bill to repeal the revenue act of 1767, excepting only that part which imposed a duty on tea: he expressed a strong disapprobation of the act in question; but censured it only as an inexpedient or unproductive impost, not as an illegal or impolitic claim: 'the articles taxed,' he said, 'being chiefly of British manufacture, ought to have been encouraged, instead of being burdened with payments.' The duty on tea was continued, to maintain our right of taxation; and it could not be supposed that an impost of three pence per pound, on an article from which one shilling per pound was deducted when exported to America, would offend the colonists, unless they had determined to rebel. The minister however took a wrong view of this matter: experience might have taught him that the

objection was not to the amount, but to the claim; and that no temporising expedients, or half measures, would be of any avail. CHAP.
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Governor Pownal, dissatisfied with the proposal of a partial repeal, moved, as an amendment, that it should be extended to all duties; and supported his opinion by many arguments of political expediency and abstract right; but the language of the minister in reply was far removed from conciliation:—‘Has our lenity,’ said he, ‘with regard to the stamp-act, taught the Americans obedience, or inspired them with moderation? can it be proper, while they deny our legal right to tax them, to acquiesce in the argument of illegality, and by a repeal of the whole law to give up that power? No: the time to exact our right of taxation is when that right is refused: to temporise is to yield; and the authority of the mother country, if now unsupported, will in reality be relinquished for ever: a total repeal cannot be thought of, till America shall be prostrate at our feet.’ It was said by opposition members, ‘that if the assertion of an abstract claim of right be so important, a positive law was already in existence declaratory of that right; a law in which America silently acquiesced, though any attempt to put it into practice would infallibly produce civil discord and tumult.’

Governor Pownal acknowledged, that even a total repeal of the duties in question would not pacify the colonists:—‘Will it remove the apprehensions excited by your resolutions and address of last year, for bringing to trial in England persons accused of treason in America? I answer, no: so long as they are left in doubt whether the habeas corpus act, the bill of rights, and the common law of England have any effect in America, they cannot be satisfied. At this moment they know not whether the civil constitution be not superseded by a military force: the Americans think that they have, in return for all applications, experienced an unfriendly disposition; and that the exercise of the common rights of freemen has been denied to them: with these views, they will never

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again solicit the favor of this house, nor bring their grievances under its notice; deeply as they feel, they will bear them with a determined and alarming silence. For their liberty they are under no apprehension: it was first planted under our constitution; it has grown up unto a flourishing tree; and should any severe strokes be aimed at its branches, and fate reduce it to its bare stock, it will only take deeper root, and spring out again more hardy and durable than before: they trust to Providence, and wait the result with firmness and fortitude.' All arguments however and predictions were ineffectual: the rejection of this amendment was necessary to lord North for the retention of his place: the whole phalanx of the king's friends and courtiers was brought up to support him; and the act passed according to the minister's first proposal. 'It might be considered,' says Dr. Bisset,⁷ 'as an omen of lord North's administration; at least, so far as a display of character justifies predictions respecting future conduct and its results. Discerning men saw meritorious and ready ingenuity, without the accompaniment of that enlarged political wisdom, firmness, and decision of mind, which only when united can constitute a beneficial statesman.'

On the ninth of April a proposal was made by alderman Trecothick to introduce a bill for repealing the duty on tea; but this was rejected, on the ground of his attempt to carry by a bill what had been already negatived in an amendment; which was contradictory to a known rule of the house.

Riots at
Boston.

The opposition, however, soon had an opportunity of renewing with greater vehemence the debates respecting America, in consequence of an alarming riot which had taken place in Boston on the very day when lord North's pacificatory resolution was passed. Toward the end of last year, most of the British troops in that city having been removed to other quarters, the rest were subjected to constant insults from the inhabitants, and interruptions in their duty. In the evening of the fifth of March, a quarrel arose between

⁷ History of the Reign of George III. vol. ii. p. 60.

two or three young men and as many soldiers, near the barracks: violent language produced blows; and the soldiers, being victorious, pursued their opponents through the streets: immediately the inhabitants joined in the affray, armed with clubs and other weapons; alarm bells were rung; and an immense mob assembled round the custom-house, threatening the life of the sentinel at that station. On the report of these proceedings, captain Preston, then on guard, sent a detachment to protect both the man and the place; but the mob, becoming very violent, attacked the soldiers with clubs and missiles: the British officer kept his men as long as possible from firing; but as the tumult increased, and a multitude pressed on the soldiers, beating off their presented muskets with clubs, a confused noise of 'fire' was heard; when several pieces were discharged, three or four persons were killed, and about twice that number wounded. The drums now beat on all sides to arms, and the townsmen assembled to the amount of several thousands; but at length, lieutenant-governor Hutchinson, arriving at the scene of tumult, persuaded the populace to disperse, with an assurance of legal redress. Having called together the council, by their advice he removed the military to Castle-William: captain Preston surrendered himself for trial; and some of his men were placed in custody, as having acted without the sanction of a civil magistrate. All possible means were subsequently taken to incense the people against the accused, by inflammatory publications, and by parading dead bodies through the streets, as victims of military execution: but the trials were fortunately deferred for a few months, till the ferment abated; when the captain was honorably acquitted, and two soldiers only were convicted of manslaughter.

News of this tumult arrived in England before the rising of parliament: but hopes being entertained of the conciliatory effect of the late bill, it was thought proper to abstain from any investigation, which might again light up the flame of discord; and on the nine-

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teenth of May the session terminated; the supplies voted for this year being £7,455,042.

With regard to America, the assembly of Massachusetts was chiefly engaged in remonstrances with the lieutenant-governor about his removal of the seat of legislature from Boston, owing to which disputes, it was several times prorogued; whence a great accumulation of business ensued: the contest was supported with much zeal on both sides, displaying the peculiar spirit and feelings of the time, and involving incidental discussions of principles which were then of great importance. The house became very obstinate on this question, because they viewed the removal as one of those measures for compelling them to comply with demands which they were determined to resist.

Remonstrance of
Beckford
to the king.

In England the contest between the city of London and the court was carried on with equal acrimony and pertinacity. On the twenty-third of May, another deputation, headed by the lord mayor, attended at St. James's, to remonstrate with his majesty on the tenor of his former answer, which was declared to be, as well as the general acts of government, 'against the clearest principles of our constitution, and the result of insidious attempts made by evil counsellors, to perplex, confound, and shake the rights of his people:' the address concluded with a renewed demand for the dissolution of parliament and removal of ministers. The king's reply was firm and dignified:— 'He should have been wanting to the public as well as to himself, if he had not expressed dissatisfaction at the late address: his sentiments on that subject continued the same; and he should ill deserve to be considered as the father of his people, if he should suffer himself to make such a use of his prerogative, as he could not but think inconsistent with the interest and dangerous to the constitution of the kingdom.' As it was naturally anticipated that a deputation which approached with insults, would be sent back with disgrace, an additional remonstrance had been prepared in the shape of a reply. To the asto-

nishment of the court, Beckford, instead of retiring, according to usual etiquette from the presence, approached the king, and delivered the following extraordinary harangue:—‘Most gracious sovereign,—Will your majesty be pleased so far to condescend, as to permit the mayor of your loyal city of London to declare in your royal presence, in behalf of his fellow citizens, how much the bare apprehension of your majesty’s displeasure would at all times affect their minds? The declaration of that displeasure has already filled them with inexpressible anxiety and with the deepest affliction. Permit me to assure your majesty, that your majesty has not, in all your dominions, any subjects more faithful, more dutiful, or more ready to sacrifice their lives and fortunes in the maintenance of the true honor and dignity of your crown: we do therefore, with the greatest humility and submission, most earnestly supplicate your majesty, that you will not dismiss us from your presence, without expressing a more favorable opinion of your faithful citizens, and without some comfort, at least some prospect of redress.’ So far this affectation of loyalty was simply a request that his majesty would recall his own expressions: the more open and studied insult lay behind. ‘Permit me, sire,’ added the civic censor, ‘to observe, that whoever has already dared, or shall hereafter endeavor by false insinuations and suggestions, to alienate your majesty’s affections from your loyal subjects in general, and from the city of London in particular, is an enemy to your majesty’s person and family, a violator of the public peace, and a betrayer of our happy constitution, as it was established at the glorious revolution.’ To this expostulation the speaker seemed to expect an answer; but none was given, and the corporation withdrew.

The birth of the princess Elizabeth occasioned the city to present a congratulatory address about a week after, and a deputation proceeded for that purpose to St. James’s: but when the chief magistrate and only three of the aldermen had passed through Temple Bar, the populace shut the gates against Mr. Harley, whom

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they had not only pelted with mud, but pulled out of his carriage; and it was with difficulty that he escaped into the Sun tavern. While the deputation waited in the antechamber, the lord chamberlain came out, and read a paper to the following purport:—‘As your lordship thought fit to speak to the king after his answer to the late remonstrance, I am to acquaint you with his majesty’s request, that nothing so unusual may happen for the future.’ The lord mayor desired that the paper might be handed to him, but this was refused: he then asked for a copy; to which the lord chamberlain replied that he would acquaint his majesty, and take his directions; but he did not return till the order was brought for the court to attend with the address. When the king entered, this was presented in the usual form; and his majesty observed, in his answer, ‘that the city of London, entertaining such loyal sentiments, might always feel assured of his protection.’

Prosecu-
tion of
Woodfall.

Public clamor was still farther excited during the summer, by a prosecution of Woodfall, the printer and publisher of Junius’s letter to the king: but this, like many other turbulent commotions in the present reign, served only to advance the development of liberty, and the establishment of constitutional rights: the storms of popular violence and political dissention swept away the remaining traces of ancient despotism; while the constitution itself was found to be so nicely balanced, through the wisdom of our ancestors, that although at times it reeled to and fro by violent concussions, no power was able to push it from its centre.

But the remarkable trial alluded to demands more than a cursory notice, not only for the high characters which it involved and the animated discussions it elicited; but for the great amendment to which it led in the law of libel; whence the jury obtained a right to judge of law as well as of fact, of the intention as well as the letter.

The cause came on soon after nine o’clock in the morning at Guildhall, before lord Mansfield and a

special jury: of these latter only seven attended; and five talesmen were therefore selected. The publication and direction of the paper in which the libel appeared was then briefly proved against the defendant, whose counsel in his defence took objections to some of the inuendoes, principally to convince the jury of the innocent nature of the paper in question; attempting also to show that some of the epithets in the information did not apply to the defendant's intention. Lord Mansfield, in charging the jury said, 'there were only two points for their consideration: the printing and publishing of the paper, which was acknowledged; and the sense and meaning of it: that as to the charges of its malice, sedition, &c. these were inferences in law about which no evidence need be given, any more than that part of an indictment need be proved which charges a man with being moved by 'the instigation of the devil:' therefore the printing and sense of the paper were alone what the jury had to consider; and if the paper should really contain no breach of the law, that was a matter which might afterwards be moved in arrest of judgment:⁸ that, as to the sense, they had not called in doubt the manner in which the dashes in the paper were filled up in the record, by giving any other sense to the passages; if they had, it would have been for the jury to consider whether the application charged in the information, or that suggested by the defendant, was the true one: that the jury might now compare the paper with the information: if they did not find the application wrong, they must find the defendant guilty; if they did find it wrong, they must acquit him.' Thus we are told, says Junius, that judge and jury have a distinct office;—that the jury is to find the fact, and the judge to de-

⁸ On this, Junius observes:—'True, my good lord; but who is to determine on the motion? Is not the court still to decide whether judgment shall be entered up or not? and is not the defendant this way as effectually deprived of judgment by his peers, as if he were tried in a court of civil law or in the chambers of the inquisition? It is you, my lord, who then try the crime, not the jury. As to the probable effect of a motion in arrest of judgment, I shall only observe, that no reasonable man would be so eager to possess himself of the power of inflicting punishment, if he were not predetermined to make use of it.'—Preface to Woodfall's Junius, p. 36.

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liver the law: *de jure respondent judices, de facto jurati*.

The *dictum* is true, though not in the sense given to it by lord Mansfield. The jury are undoubtedly to determine the fact; that is, whether the defendant did or did not commit the crime charged against him: the judge pronounces the sentence annexed by the law to that fact so found; and if, in the course of the trial, any question of law arises, both the counsel and the jury must of necessity appeal to the judge, and leave it to his decision. An exception or plea in bar may be allowed by the court; but when issue is joined, and the jury have received their charge, it is not possible, in the nature of things, for them to separate the law from the fact, unless they return a special verdict.

Between eleven and twelve o'clock the jury withdrew: at four the court adjourned; and a little after nine, the jurors waited on the lord chief justice, at his house, with the following verdict: 'Guilty of printing and publishing only.' On this, two motions were made in court; one by the defendant's counsel in arrest of judgment, grounded on the ambiguity of the verdict; the other by the counsel for the crown, for a rule on the defendant, to show cause why the verdict should not be entered up according to the legal import of the words. On each motion a rule was granted.

When the matter came to be argued in the court of king's bench, lord Mansfield went regularly through the whole evidence, as well as his own charge to the jury; and in considering the two rules, he began with the latter, because that might decide the former. After recapitulating the defence on the trial, his lordship made the following, among other observations:—'I directed the jury, that if they believed the inuendoes, as to persons and things, to have been properly filled up in the information, and to be the true meaning of the paper, and if they gave credit to the witnesses, they must find the defendant guilty. If the jury were obliged to determine whether the paper was in law a libel or not; or to judge whether it was criminal, or to what degree; or if they were to require proofs of a criminal intention,—then this direction was wrong.

I told them, as I have always done before, that whether a libel or not, was a mere question of law arising out of the record, and that all epithets inserted in the information were formal inferences of law. A general verdict of the jury finds only what the law implies from the fact; for that is scarcely possible to be produced: the law implies from the act of publication, a criminal intent.' After some remarks on the court's refusal to receive the proffered affidavit of one of the jury explaining his meaning with regard to the verdict, his lordship thus proceeded:—'The motion of the attorney-general divides itself into two parts; first, to fill up the finding of the jury with the usual words of reference, so as to connect the verdict with the information: the omission of these words, we are of opinion, is a technical mistake of the clerk, and may be now supplied. The second head of the argument, is to omit the word 'only' in the entry of the verdict: this we are all of opinion cannot be done: the word 'only' must stand in the verdict: if this word was omitted, the verdict would then be, 'guilty of printing and publishing,' which is a general verdict of guilty; for there is no other charge in the information but printing and publishing, and that alone the jury had to inquire.' 'We are all of opinion, that my direction to the jury is right, and according to law; the positions contained in it never were doubted; it never has been, nor is it now complained of in this court. There clearly can be no judgment of acquittal, because the fact found by the jury is the only question they had to try: the single doubt that remains, is concerning the meaning of the word 'only.' This perplexing little word determined the court to grant a new trial: but when it came on, the attorney-general observed to the chief justice, that he had not the original newspaper by which he could prove the publication. 'That is not my fault, Mr. Attorney;' was his lordship's laconic reply: and thus terminated the second trial. The fact is,⁹ that the foreman of the jury on the first, had

* Woodfall's Junius, vol. ii. p. 63, note.

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Parlia-
mentary
proceed-
ings on the
law of libel.

pocketed the paper, when handed to the jury-box for inspection, and had afterwards destroyed it.

As the sentiments promulgated by lord Mansfield on the law of libel created much discussion, and encountered no small degree of obloquy, he determined to place his sentiments at least out of the power of misrepresentation; for which purpose, having demanded a call of the house of lords for the eleventh of December, he laid on the table a paper drawn up with great care and precision, containing the unanimous opinion of the court of king's bench in Woodfall's case. To lord Camden's inquiry, if this document was to be entered on the journals of the house, a reply was given in the negative: it was merely intended for the information of members. Next day, lord Camden, considering the paper as a challenge to himself, endeavored to provoke a discussion, by addressing six queries to the chief justice, of which the fourth may be taken as a specimen:—'Is it meant, that, if the judge, after giving his opinion of the innocence or criminality of a paper, should leave the consideration of that matter, together with the printing and publishing, to the jury, such a direction would be contrary to law?' Lord Mansfield's object, however, was not to argue this point, but rather to show that the course he had taken was agreeable to long usage, and sanctioned by authority: he therefore took shelter in a dignified silence, after declaring that he would not answer interrogations.

The subject was introduced into the house of commons early in December, on a motion of serjeant Glynn, for a committee to inquire, among other things, 'into the constitutional power and duty of juries.' The principal speakers on this occasion were Fox on the side of ministers, and Burke on the side of the people: the former of these orators indignantly opposed the motion, because it was said, 'the people complained of the perversion of law;' and he laid himself open to the following animadversions from his spirited antagonist:—'That there should be found gentlemen who would annihilate the people, and acknowledge no other voice than that of this house, is

to me not at all surprising, because the conduct of the most violent sticklers for such doctrine has not deserved much applause or favor from them: but that they should have renounced reason and common sense so far as to maintain that the majority of this assembly is the only organ by which their sentiments can be expressed, is to me truly surprising: for where, in the name of wonder, should the house acquire the necessary knowledge or intelligence? Is it by turning over these musty old volumes, or by rummaging the gaudy boxes which lie on your table? No; they contain none of these mysteries. How then are they to be explored? Is there any virtue or inspiration in these benches or cushions, by which they are to be communicated; or does the echo of these walls whisper the secret in your ears? No; but the echo of every other wall, the murmur of every stream, the shouts, ay, the hoots and hisses of every street in the nation, ring it in your ears, and deafen you with their din. The people have a voice of their own, and it must, it will, be sooner or later heard; and I, as in duty bound, will always exert every nerve and power of which I am master, to hasten the completion of so desirable an event.' It is an old observation, that the same person in office and out of office seems to have a different pair of eyes. The declaratory act, brought forward some years after, and carried through the legislature by Mr. Fox, would have been alone sufficient to immortalise his memory: this completely settled the point in dispute, and gave to a British jury the power of judging on the law in the case of libel.

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The principal design of the family compact being to reduce the power of England, the present seemed a favorable opportunity, when her navy, which had been much neglected under the administration of lord Hawke, would find it difficult to defend her distant possessions: it was therefore agreed, that France and Spain should assail her at the same time in distant parts of the globe; but the indolent habits of Louis XV. and the declining influence of Choiseul, prevented that

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Disputes
respecting
Falkland's
islands.

minister from carrying his part of the project into execution; though he entertained hopes, when hostilities should commence, of inducing the French king to take up arms in support of his ally.¹⁰

Spain indeed struck a blow this summer, by forcibly expelling the English from a settlement on one of Falkland's islands, in the Pacific Ocean. It had been remarked by lord Anson, in his celebrated voyage, that the possession of a port to the southward of Brazil would be serviceable to future navigators, who might there refit their ships, and provide them with necessaries previous to their passage through the straits of Magellan, or their attempt to double Cape Horn; the same would also be very advantageous to the country in case of a Spanish war; and these islands were specified by him as well adapted to the purpose. On his lordship's advancement to the head of the admiralty, it was intended to form a settlement there; but this plan was relinquished at the instance of the Spanish court. In January, 1765, commodore Byron took formal possession of them; and by extolling the advantages of their situation, induced our government to erect a fort near a commodious harbor, to which the name of Port Egmont was given. Spain, alarmed at what she considered an encroachment on her dominion, which would give great facilities to an attack on her territories in the South Sea, made urgent remonstrances, but without effect; such however was her dread of the power of England, and so fresh was the recollection of her own losses, that she felt obliged, indignant as she was, to submit to the aggression: but at length our domestic distractions, our tame acquiescence in the transfer of Corsica to France, and encouragement from the French minister Choiseul, emboldened the Spanish cabinet to revive its pretensions to the islands in question, and even to take vigorous measures for enforcing the claim. An armament, consisting of several ships of war and their attendant vessels, provided with apparatus for a siege, sailed from Buenos Ayres, and appeared suddenly before

¹⁰ Adolphus's private information, History, vol. i. p. 404.

Port Egmont; when captain Farmer, the British commandant, knowing that the place was not tenable, submitted, after a few shots, to terms of capitulation: the Spanish commodore however, not caring that very early intelligence of this outrage should be carried to England, enjoined captain Farmer not to sail without his permission; and in order to ensure compliance, he unshipped the rudder of his vessel, and kept it on shore twenty days; an insult to the British flag not to be endured.

No sooner were these proceedings known in England, than all ranks appeared to be inflamed with resentment, and eager to avenge the national honor so grossly violated. At the meeting of parliament in the ensuing month of November, the king assured both houses, 'that should satisfaction be refused by the Spanish court for this injury, preparations had been, and were still making, to do ourselves justice.' It was however thought right to avert war, if possible, by negotiations; and Spain despairing of assistance from the court of Versailles, where the duc de Choiseul was declining in favor, ultimately yielded so as to disavow the enterprise of the governor of Buenos Ayres, and to restore the island: but it was generally thought that a stipulation had been made, for the settlement to be after a time abandoned by the English.

The conduct of these negotiations brought into favorable notice the zeal and energy of a young diplomatist, Mr. James Harris, our chargé-des-affaires at Madrid; who was beginning a career which soon procured for him a high reputation, and ultimately the earldom of Malmsbury. The arrangement of the dispute, however, was not considered very creditable to British spirit; so the ponderous talents of Dr. Johnson were enlisted in the cause; and he wrote a pamphlet to depreciate the value of the possession, to place the claims of Spain in as fair a light as possible, and to vindicate the conduct of our ministry.¹¹ Junius

¹¹ 'Whether the ministry might not equitably have demanded more,' says the doctor, 'is not worth a question. The utmost exertion of right is always inviolable; and where claims are not easily determinable, is always dangerous.'

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was the principal writer on the opposite side, who reprobated the transaction severely, as 'wounding the honor of the king and glory of the kingdom : ' he consequently fell under the lash of the great moralist, who, in one of his mildest increpations, declared that the 'cits of London and the boors of Middlesex admired Junius for virtues like their own; for contempt of order and violence of outrage, for rage of defamation and audacity of falsehood.' But whether it was through respect for the doctor's character, or contempt for his political abilities and knowledge, Junius never condescended to notice the attack. In the parliamentary debates on this subject, lord Chatham's indignation drew from him a severe invective against the Spanish character, which subsequent events have certainly tended much to justify. 'They are as mean and crafty,' said he, 'as they are insolent and proud. I never yet met with an instance of candor or dignity in their proceedings; nothing but low cunning, artifice, and trick. I was compelled to talk to them in peremptory language; and I submitted my advice for an immediate war to a trembling council. You all know the consequences of its being rejected.'

Domestic
events.

Few events of domestic interest occurred this year. On the twenty-first of June the death of Beckford liberated the sovereign and his ministers from a daring adversary, and deprived lord Chatham of a stanch supporter. Before the popular excitement had time to abate, a splendid monument was voted to his memory in Guildhall, on which the celebrated 'Reply' was engraven: its authorship however was not long left to decorate his memory, being claimed by the Rev. Mr. Horne, whose mortification was extreme, when he found that his talents had procured a statue for another man, which he would rather have seen erected to himself. The struggles of this demagogue and Wilkes for notoriety had been violent and incessant; popular commotions had corresponded to their efforts; and they had begun to think that their opinions had an influence on cabinets and kingdoms; when the sudden dissolution of the Grafton adminis-

tration took place, and the establishment of lord North's ministry, seemed at once to annihilate all their hopes. The Rockingham and Shelburne parties had been successively extolled by them, under an idea that the one or the other must be selected for office: but when a ministry unconnected with either, and looking principally to the throne as the foundation of its stability, started up before their eyes, the adoption of a new plan became necessary to embarrass government and give the law to ministers: a political club therefore was the expedient resorted to; and a 'Society for supporting the Bill of Rights' was formed this year at the London tavern, numbering among its constituents, Wilkes and Horne, sergeant Glynn, sir Francis Blake Delaval, with aldermen Sawbridge and Oliver, members for the city. The character of this association may be collected from its list of resolutions, of which the following are a specimen:—'You shall consent to no supplies without a previous redress of grievances—you shall endeavor to restore annual parliaments—you shall promote a bill rendering every pensioner and placeman under the crown ineligible as a representative of the people—you shall impeach the ministers who advised the violation of the rights of freeholders in the Middlesex election, and the military murders in St. George's fields—you shall endeavor to restore to America the essential rights of taxation through her representatives,' &c.

Ridiculous as such an assumption of authority may appear, its effects were for a time sensibly felt, in an increased tendency among the populace to defy the laws; while every publication that provoked the prosecution of government was sustained by pecuniary assistance from the club, and encouraged in future aggressions: but a crisis soon arrived, when funds, which had been collected to support popular rights, were turned into the channel of Mr. Wilkes's supplies: the payment of this man's debts, and the purchase of an annuity for his future luxuries, was too gross an imposition even for 'the boors of Middlesex:' the surprise of subscribers was followed by mur-

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murs and disgust, when Horne, who had cordially hated Wilkes from the very commencement of their union, took this opportunity to retire, denouncing the association as an aldermanic tool, and setting up for himself, with a new club, under a new name, 'the Constitutional Society;' from which every person connected with Wilkes was rigorously excluded. A furious newspaper correspondence thence ensued between the two irritated champions, who assailed each other with virulent charges and recriminations, exposing each other's disgraceful transactions in all their naked deformity. Wilkes however still continued the idol of the mob, as he possessed all the qualities which are necessary for its leader: Horne, having released himself from servile dependence, and the mortification of assisting in the triumphs of a detested rival, now started forward alone, to seek for popularity amid the anxieties of perpetual persecution, to live in the protracted miseries of imprisonment, and to die a dependent on the bounty of friends.

Continental
politics.

A war of great importance to the interests of Europe had been for some time raging between Russia and Turkey. The successes of the former power created considerable alarm to the cabinets of Berlin and Vienna, and occasioned in August, 1769, an interview at Neiss, between Frederic and the emperor Joseph I., which seemed likely to remove the enmity that had so long divided their houses. Turkey had been for successive ages on amicable terms with France, by whom she was excited to this contest; but the British government and nation inclined to Russia, attracted by commercial even more than by political interests. In this year Catharine made a grand effort to put into execution her long-cherished design of dismembering the Ottoman empire, and seizing on its spoils. Her fleet, under count Orloff, sailed into the Mediterranean about the end of February, took Misitra, and called the Greeks of the Morea to arms: that unfortunate people readily obeyed the summons; but the pasha of Bosnia entered the country with 30,000 troops; and the hopes of

Greece were crushed at Modon. The Russian fleet proceeded to the coast of Asia Minor; burned the Turkish navy at Tchesme; and, cutting off all communication between the Porte and its fertile provinces in many quarters of the world, greatly distressed the capital, while the plague was committing dreadful ravages along the frontiers. In the mean time, the Russian armies met with such uninterrupted success under counts Romanzow and Panin, that all the Turkish dominions, from Poland to the Danube southward, and from Hungary to the Euxine eastward, fell into their possession.

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Under the alarm which these events were calculated to excite, a second interview took place between Frederic and Joseph at Neustadt in Moravia; when the latter declared that neither his mother nor himself would ever permit Catharine to retain Moldavia and Wallachia; and Frederic was earnestly pressed to join the house of Austria in resisting that torrent from the north which now threatened to overwhelm the continent. The king artfully evaded this overture, being desirous of preserving his amity and alliance with Catharine; but he tendered his assistance to conciliate the courts of Petersburg and Vienna, offering to exert his interest, which was very great, with the Ottoman Porte, to induce that power to accept the Austrian mediation. Indeed, before they separated, a message arrived from Constantinople, requesting the joint mediation of Austria and Prussia, and declaring the resolution of the Porte to receive no proposals which were not made through their intervention: this was gladly accepted; and the rival houses of Austria and Brandenburg seemed cordially united in their views and interests.

At this interview, says Mr. Coxe,² Frederic held forth the partition of Poland as a bait to the Austrian court; and urged the policy of persuading or compelling Russia to concur in the dismemberment, instead of retaining Moldavia and Wallachia: the map of Poland was laid before the two sovereigns, by whom

² Coxe's House of Austria, vol. iii. p. 499.

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 XII. operations arranged.⁸ A negotiation commenced;
 1770. but from the jarring interests and views, both of the
 principal and the mediating powers, it did not produce
 a peace. France, accustomed to take so active a share
 in European contests, was now more than ever
 engaged with disputes between the king and the par-
 liaments; while the authority of Choiseul, the only
 man able to support her diplomatic interests, was
 losing ground through the intrigues of the ducs de
 Richelieu and d'Aiguillon, who made use of the
 notorious Madame du Barry to procure his downfall.
 It was to counteract this pernicious influence, that
 Choiseul so eagerly sought to draw closer the bonds
 of union with Austria, by uniting the young dauphin,
 afterwards Louis XVI., in marriage with Marie Antoi-
 nette, a daughter of the empress. This ill-fated
 wedding took place in May, and was attended with
 some melancholy events, which seemed to presage
 calamity: in the Rue Royale fifty persons were crushed
 to death by a tremendous crowd collected there to see
 a display of fireworks.

Proceed-
 ings at
 Massachu-
 sets.

In September the assembly of Massachusetts again
 met. They found, by communications from England,
 that the conduct and state of the colony was likely to
 be submitted to the consideration of parliament in the
 approaching session; and they had reason to think
 that the inquiry would produce some diminution of
 their chartered privileges; it therefore became highly
 important to prepare instructions for their agent in
 London: another step which had been taken by the
 British government also tended to increase their alarm;
 this was the dismissal of the provincial forces from
 Castle-William, which fortress was now garrisoned by
 royal troops. The province, in short, suspected, or
 rather perceived, that measures were in train to reduce
 it to a complete dependence on Great Britain: while
 these forebodings were rendered still more gloomy by

⁸ 'I have little hesitation,' says the same author, 'in asserting that the plan of this partition originated with the king of Prussia: but so infamous was the transaction, that each of the three powers endeavored to fix the blame on the others.'

the prospect of affairs in the middle and southern colonies, where irritation against the mother country, seemed in a great degree to have subsided. Besides, owing to their disputes with government, so great an accumulation of domestic business had taken place, that the consideration of it could be no longer delayed without mischief to the colony. The house therefore, after another ineffectual attempt to restore the seat of government to Boston, undertook affairs of legislation, with a strong protest against its conduct being drawn into a precedent. Mr. Hutchinson was soon afterwards appointed governor of the province; but the subject of the assembly's removal continued to afford matter of remonstrance and dispute at the beginning of every session.

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CHAPTER XIII.

GEORGE III. (CONTINUED.)—1770-1.

Opening of parliament—King's speech—Supplies voted—Adjournment on account of the affairs of Spain—Parliament meets again—Satisfactory adjustment with Spain—Changes in the ministry—Great seal given to judge Bathurst—Hostility between the two houses of parliament from exclusion of strangers—Proceedings regarding the borough of Shoreham—Attempts made to carry popular motions in parliament, but fail—Proceedings leading to the publication of parliamentary debates—Triumph of Wilkes, &c.—Embankment of the river, and building of the Adelphi—Stability of ministers—Death of lord Halifax, and consequent changes—Plague at Moscow—Troubles in Poland—Attempt on the king—Approaching fate of the country—Affairs of Germany and Sweden—Contest between the king of France and the parliaments—Domestic affairs of England—Education of the heir apparent—Pursuits of the king—Meeting of parliament—Naval arrangements—Debates on the subject of subscription to the thirty-nine articles—*Nullum Tempus* bill regarding the church rejected—Royal marriage act—Bill to relieve dissenters from subscription rejected by the lords—Dr. Nowell's sermon—Motion for abolishing the anniversary of king Charles's martyrdom rejected—East Indian affairs—Lord Clive's conduct. A select committee formed—Custom of *pene forte et dure* abolished—Parliament rises—Amount of supplies and national debt—Misfortunes of the queen of Denmark—Death of the princess dowager—Revolution of Sweden—Partition of Poland—Alderman Townshend's action against the collector of the land-tax—Lord Hillsborough resigns—Succeeded by lord Dartmouth—Other changes—State of British commerce, &c.—Meeting of parliament—Affairs of the East Indian company—Adjournment of the house.

Opening of THE king opened parliament on the thirteenth of November, by a speech from the throne, informing the houses, that owing to an act of the governor of Buenos Ayres, in seizing by force one of his possessions, the

honor of his crown and the security of his people's rights were deeply affected: he then stated the measures hitherto pursued, and asked for advice and assistance. The addresses of both houses contained a hearty approbation of the steps taken by his majesty, and assurances of their effectual support: supplies for augmenting the army and navy were cheerfully voted; and the increase of the land-tax from three to four shillings in the pound was carried with no great opposition.

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As suspicions of the sincerity of the Spanish government had greatly increased before Christmas, it was deemed advisable to adjourn parliament to the latter end of January, in order to allow time for the development of circumstances, and enable the cabinet to come to a decision on the grand question of peace or war. There is no doubt that the king of Spain was willing to run the hazard of a contest on this occasion, or that he sent a proposal to France, inviting co-operation: but Madame du Barry's friends had by this time gained such an ascendancy over Louis XV., as to procure the dismissal of his great war-minister Choiseul. Thus vanished every hope which the Spanish monarch might have entertained of assistance.

Lord North was now enabled to meet parliament with more confidence; having accomplished the object for which the recess had been so unusually protracted. When the commons assembled on the twenty-second, he informed them that the Spanish ambassador had that morning signed a declaration, with which his majesty was satisfied, and which should be laid before them: similar information was imparted to the lords by the earl of Rochford, who had just succeeded lord Weymouth as secretary of state. This latter nobleman, it was understood, resigned his seals in consequence of his disapprobation of the Spanish negotiations, as injurious to the honor of Great Britain: but the condition of eventual restitution not being publicly known, it afforded no ground of objection; and when the evacuation of the islands took place, about three

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years afterwards, the circumstances of this prior transaction being almost forgotten, it passed off with slight animadversion.¹

When lord Rochford, was removed to the southern department, his seals were given to the earl of Sandwich; but the latter being soon afterwards placed at the head of the admiralty in the room of Sir Edward Hawke, lord Halifax was made northern secretary, the privy seal being given to the earl of Suffolk: the great seal was now taken out of commission, and confided to judge Bathurst; Mr. de Grey being appointed chief justice of the common pleas: some other changes took place about the same time, when several of the late Mr. Grenville's² friends came into office, bringing a considerable accession of talent to the ministry. It was at this juncture that Mr. Thurlow was appointed attorney-general, and Mr. Wedderburne solicitor-general to the queen.

: The proceedings of parliament this session afford few subjects of general interest: before the recess a great animosity had arisen between the lords and commons; begun by the former, who excluded all strangers from their debates, and extended this prohibition even to the commons, except in the case of a deputation with a bill; and even they were allowed to remain no longer than was absolutely necessary: the commons retaliated; and a sullen hostility between the two houses subsisted during the session.

Proceed-
ings against
Shoreham.

A select committee, appointed according to Mr. Grenville's act, to determine a contested election for the borough of Shoreham, brought to light at this

¹ On this subject Mr. Adolphus observes, 'that Falkland island was, in consequence of arrangements, surrendered in the most honorable manner to the British forces in September, 1771: but as the nature and value of the possession were now thoroughly understood, it was in less than two years completely evacuated. This circumstance has led to an insinuation that the abandonment was stipulated by secret articles; but this was not the fact: the British forces left their flag flying, and large sheets of lead fixed up, with engraved inscriptions, proclaiming to all nations that Falkland's islands were the sole right and property of the king of Great Britain. It is true, indeed, that the intention of retaining this unimportant possession was renounced by Great Britain, and the Spanish minister was so apprised pending the negotiation: but there was no secret article on the subject; nor was the place ever surrendered to Spain.'—History of England, vol. i. p. 422, note.

² He died on the thirteenth of November, 1770.

time a disgusting scene of corruption. Hugh Roberts, the returning officer, had declared a candidate duly elected, who had only thirty-seven votes in his favor, to the prejudice of a rival who had eighty-seven. In his defence before the committee he disclosed the following facts in exculpation of such apparent partiality. The majority of the freemen had formed themselves into a society, which they named 'a christian club;' assuming that appellation as an ostensible pretext for piety and charity, but in reality as a cover to their venality and corruption: some few charitable acts were occasionally performed to accredit their professions; but the money received from their representatives was distributed among these hypocritical confederates for their own private advantage: utterly precluding all the other freemen from any beneficial exercise of their elective franchise, they bound themselves by a solemn oath to mutual fidelity; and added legal instruments, with large penalties, to secure their associates in this illegal engagement: they then without any remorse took the oaths against bribery and corruption, after having sold the borough to the highest bidder, by means of a secret committee, the members of which, under pretended scruples of conscience, declined to exercise their right of voting. The returning officer had himself belonged to this club; but having taken umbrage at some of their proceedings, he determined to thwart their future schemes. Being aware of their principles and practice, he ascertained that a large sum of money had been distributed among eighty-one persons of the majority: these therefore he considered as disqualified, and omitted them in his return: but his defence not appearing sufficient to exculpate him from the assumption of illegal authority, he was called to the bar of the house, and there reprimanded by the speaker. The facts of the case however being proved, a bill was passed by which eighty-one freemen of Shoreham were disfranchised; and the right of electing members for that borough was extended to all freeholders in the rape of Bram-

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ber, holding tenements of the annual value of forty shillings.

Several attempts were made by the opposition to introduce popular laws, and raise popular questions. The duke of Richmond moved the upper house to reverse its resolution of not impeaching, directly or indirectly, the judgment of the commons in the Middlesex election; lord Chatham moved for an address to the king, praying him to dissolve the parliament; and alderman Sawbridge, in the lower house, made a motion to shorten the duration of parliaments; all which efforts failed of success; but the alderman renewed his motion, and thus kept alive the question, every session till his death.

Resolutions respecting the publication of debates.

The disposition which still prevailed to oppose proceedings of the legislature, now led to a remarkable contest, by which the liberty of the press was much extended. Up to this period it had been held, that to publish debates of either house of parliament was a breach of privilege; and though the editors of newspapers had endeavored to evade such a prohibition; yet the speeches of members had been given in a garbled, unsatisfactory form, during the intervals of parliament; assigned to fictitious personages; sometimes even written for them by professed authors, and containing but few sentiments of the real speakers. The extent however of the power of parliament to enforce this question of privilege had never been accurately determined; and in the present factious times the public prints were daily making inroads on it; particularly during the Middlesex elections, when the multitude looked forward to the debates with all that keen anxiety which popular passion and popular pride impart. Now those debates were generally records of ministerial defeat; and deep offence was taken at their publication. Mr. Onslow, who had formerly been speaker of the house of commons, an honest man, but a great formalist, was thunderstruck at a breach of decorum, which his distressed imagination represented as the destruction of every thing to be venerated in

our constitution; and his nephew, colonel G. Onslow, member for Surrey, was directed to bring the question to an issue, by moving, 'that it is an indignity to, and a breach of, the privileges of this house, for any person to presume to give, in written or printed newspapers, any account or minutes of its debates or other proceedings:'—'that on discovery of the authors, printers, or publishers of any such written or printed newspapers, the house will proceed against them with the utmost severity.'

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The motion was strongly opposed; it being asserted that the ministerial papers were as blamable as those on the other side: it was also argued, that the privilege enjoyed by constituents, of knowing what is said and done by their representatives, is founded on the true principles of our constitution; and that falsehood and misrepresentation ought to be punished in a different manner from that now proposed, which went to make the house of commons a secret tribunal: but the resolution was carried by a majority of ninety to fifty-five; and Thompson and Wheble, proprietors of two offending journals,³ were ordered to attend at the bar of the house.

As these parties were not forthcoming, and were constantly denied to the sergeant at arms with insulting expressions, a royal proclamation, at the request of the house, was issued, offering a reward for their apprehension: in consequence, Mr. Wheble, being taken up, was brought before the sitting alderman; and this happened to be Wilkes himself, who had been advanced to that civic honor soon after his discharge from Newgate. On the present occasion he not only discharged the apprehended person, but took recognizances for prosecuting the officers by whom he had been seized; contending that the proclamation did not charge him with any crime, while the rights of an Englishman, as well as the chartered privileges of the city, had been grossly violated: on the same plea, Thompson, the other publisher, was discharged by alderman Oliver. In the mean time, fearing that these delinquents might

Resistance
to the as-
sumed au-
thority of
the house of
commons.

³ The Gazetteer, and the Middlesex Journal.

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escape, colonel Onslow preferred a complaint against six other printers, who were ordered to attend at the bar; one of whom, named Miller, a freeman of the city, refusing to obey the summons, was apprehended at his own residence; but having a constable in readiness, he gave into his charge the messenger of the house, who was immediately carried to Guildhall, to answer for the assault. Wilkes, the sitting alderman, having closed business for the day, refused to take cognizance of this affair, and the parties were conducted to the Mansion-house: there, owing to the indisposition of Mr. Crosby, the lord mayor, they were detained three hours before they were admitted to the presence of the chief magistrate, who was attended by aldermen Wilkes and Oliver; Mr. Clementson, deputy sergeant at arms, being also present. By the above three magistrates Miller was discharged; Mr. Clementson's demand of him as a prisoner, and of the messenger's release, was treated with the utmost contempt; and the latter was about to be committed to prison by their warrant, when bail was given for his future appearance.

Committal
of lord
mayor and
alderman
Oliver to
the Tower.

The relation of these transactions was received with indignation by the house, who immediately issued orders for the lord mayor and alderman Oliver to attend in their places, and Mr. Wilkes at the bar. The two members obeyed the summons, boldly justified their conduct, and were committed to the Tower: Wilkes refused; stating in his letter to the speaker, 'that he had not been summoned as a member;' and adding, 'that he was quite ready to attend in his place, to justify his treatment of an illegal proclamation.' Meantime, the city had not been remiss in taking up the cause of its magistrates: a court of common council passed a vote of thanks to them for this spirited assertion of their common privileges; a table was kept, at the public expense, for the two incarcerated members; and a committee appointed to assist them in their defence, with power to draw for money on the chamber of London. The populace also displayed great zeal in favor of persons whom they considered

as suffering in their cause, accompanying them, with loud acclamations, when they went to the house of commons and when they returned. On one of these occasions they grossly insulted Mr. Fox, as well as several other obnoxious members; and the life of lord North was brought into imminent danger.

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Over their own acknowledged members the house had an advantage; but with regard to Wilkes, the result ought to have been foreseen and avoided: any attempt to compel his appearance would have revived all the uproar of the election questions, and have brought him forward, with tenfold powers of mischief, as champion of the mob. An order of mere form was issued for his attendance a few days after: this was renewed for the eighth of April: but the house being much embarrassed, and anxious to extricate itself from difficulty, was reduced to the miserable expedient of adjourning from the seventh to the ninth.

While the ringleader thus escaped with splendid impunity, Crosby and Oliver remained in durance to the end of the session; though they had been carried by writs of 'habeas corpus' before the courts of common pleas and exchequer, which declared themselves unable to reverse the proceedings of the house of commons: but they were more than repaid for their confinement by popular applause; and their release was celebrated with illuminations, processions, and other public rejoicings. From that period, the parliamentary debates, which are expected with such intense interest throughout the united kingdom, have been published without any disguise or obstruction; and this publicity, which seems properly to enter into the very essence of a representative assembly, is one of the best safeguards of our constitution, whilst it brings the opinions and acts of representatives under the cognizance and scrutiny of their constituents. Parliamentary privilege indeed still exists; and, though rarely exerted, is useful as a check to reporters, who are made responsible for careless or malicious misrepresentation.

Another occasion of contest between the city and

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the legislature, arose from the introduction of a bill for enclosing and embanking a part of the river adjoining to Durham-yard; which was imputed to court favor acquired by two builders. The city, considering that an encroachment was about to be made on their rights of conservancy and property, were heard by counsel: they produced a grant by Henry VII. of all the soil and bed of the Thames from Staines-bridge to a spot near the Medway; and showed a lease granted by them of a nook of the river near Vauxhall, for which they had received rent during the last sixty-six years: on the other side, a charter of Charles II. was produced, in which he had reserved the bed of the river; and it was argued, that the city by accepting this had forfeited the other: it was also contended, that the charter of Henry VII. concerned that part of the river only which was within the city; and the lease at Vauxhall was considered as an encroachment. These arguments prevailing, the bill passed; and a handsome pile of buildings, called the Adelphi, was erected on the site, and disposed of by lottery. It is very extraordinary, that, in an age of improvement like the present, this embankment has not been extended from both ends.

The session ended on the eighth of May; and whatever credit ministers might lose in some of the foregoing disputes, they were never firmer in their seats than during the present year; for the defection of Mr. Grenville's party added much to their strength, while it diminished the efforts of opposition; and the public at large took but little interest in political concerns. In June, the death of lord Halifax made a vacancy in the cabinet, which was filled up by the earl of Suffolk, whose place of lord privy seal was taken by the duke of Grafton.

Continental
politics.

In the midst of Russia's triumphs over the followers of Mahomet, her ancient capital of Moscow was this year desolated by a terrible pestilence. Superstition augmented the evil, whilst it inspired the multitude with faith in the picture of a certain saint to avert the calamity; and thousands rushing toward the

effigy, for the purpose of kissing it and imploring aid, spread the infection to an unexampled extent. The venerable archbishop Ambrosius having ordered the painting to be removed, was pursued by an infuriated mob to a convent in which he had taken refuge, dragged from the very altar, and put to death in the most savage manner. To quell this tumult, the soldiers fired on the people, and killed many; but more were apprehended and punished.

The confederacies of Poland, which had apparently been extinguished, were renewed with increased violence; being supported by the influence of the French court, and by the presence of French officers: the contest was thus carried on against the Russians with varied success. A remarkable circumstance attending this species of warfare was an atrocious attempt to carry off the king, whom the malcontents had never regarded as the nation's choice. On the night of the third of September, a party of about forty persons, under three leaders, having entered Warsaw in disguise, stopped his majesty, as he was returning to the palace; and having dispersed the attendants, dragged him forcibly from his carriage; in which outrage they inflicted a deep cut with a sabre on his head: they then conveyed him on horseback out of the city; but the night being very dark, many of the conspirators lost their way, and the rest repeatedly sought permission of their chief, Kozinsky, to despatch the royal captive: he however managed to divert them from this criminal purpose; and being at length left alone with the king, was so moved by his entreaties, that he threw himself at the monarch's feet, implored his pardon, and swore to protect him from farther insult. After some time they obtained admission into a mill, whence the king despatched a note to the commander of his guards, who brought him back with an escort to Warsaw, amid the acclamations of the people. The fate of Poland was now drawing to a conclusion: the Russian troops were strongly reinforced, while those of Austria and Prussia advanced from different quarters; and re-

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sistance was in vain. 'After all,' says one of our most enlightened and liberal writers, 'the situation of Poland—I speak this with great hesitation—was such as almost to afford an exception, (perhaps a single exception) in the history of mankind, to those general rules of justice that are so essential to the great community of nations.'⁴

In many parts of Germany great distress prevailed from scarcity, inclement seasons, and vast inundations. The dismemberment even of the empire was at this time contemplated by the imperial and royal plunderers. The king of Sweden died suddenly in February, and was succeeded by his son Gustavus III. who was then in Paris: he immediately sent a declaration to the senate, in which he solemnly promised to govern by the laws and constitution; protesting that he should regard as traitors to their country all who might attempt to introduce unlimited monarchical authority. He arrived in May at Stockholm, where he adopted the most popular manners, was easy of access, and studious to gain the affections of the lower orders. At the opening of the diet in June, he made an admired speech, in which he renewed his attachment to the free constitution of his country.

The disputes between the crown of France and her parliaments were this year brought to a crisis: the king in person having caused an edict to be registered by that of Paris, in which was recognised the obligation of every sovereign court to register royal edicts, however opposed to its own opinions, the assembly, which had previously entered a protest against any thing which they might be compelled to do at a 'bed of justice,' tendered the resignation of their offices to his majesty, unless he withdrew the obnoxious decree: this the king refused; and at the same time ordered them to continue their functions, under pain of losing their employments; to which it

⁴ Professor Smyth's Lectures, vol. ii. p. 311. Certainly the elective monarchy of Poland, in the midst of other European states differently constituted, was so injurious, that it might reasonably have been altered by force: the division of the kingdom, however, can never be justified.

was answered, that they could not obey, but would submissively wait his majesty's pleasure. On the twentieth of January, at night, each member of the parliament was surprised in his bed by two musqueteers, who presented to him a written agreement to resume his functions, to which a signature of 'yes' or 'no' was demanded. 'No' was generally returned; although some few, in their surprise, assented to the affirmative: but the whole body, when they met next morning, declared their resolution not to obey the mandate: the following night therefore brought to them another visit from the musqueteers, who announced to each person that he was degraded from his office, and that the parliament itself was broken up and dissolved. A decree of exile was afterwards put in force against all the members, who were banished into different parts of the realm. To supply the place of these patriotic magistrates, a temporary tribunal was instituted, where the king's councillors were obliged to plead; but it became so unpopular, that a guard of soldiers was found necessary for its protection. On the twenty-second of February, the monarch held another bed of justice; and declaring that the jurisdiction of the parliament was too extensive, he divided it into six superior and permanent courts. Against this abolition of the most illustrious judicial court in France, protests and remonstrances were sent by other parliaments; with whom the high nobles and princes of the blood made common cause; refusing to attend the bed of justice held by Louis to open his new courts: the prince of Condé, his son Bourbon, and the prince of Conti, were exiled in consequence; as also was the duke of Orleans and his son the duc de Chartres. The parliament of Rouen, acting with that intrepidity which always distinguished it, issued an *arrêt*, declaring the members of the new courts to be usurpers, and prohibiting the acknowledgement of their decrees. Violent measures were now meditated by the king; but the duke of Harcourt refused to command the troops destined to put them in execution. By the arbitrary acts however of the monarch during this

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year, the parliaments of Besançon, Bordeaux, Aix, Toulouse, and Britany were totally suppressed, their members banished, and new courts erected in their room. Thus did royalty triumph, first over the jesuits, now over the jurists; and Louis XV., under Madame du Barry and d'Aiguillon, overthrew those outworks which stood as defences to the citadel of his power: thenceforward all classes were confounded, advancing together and making common cause against the monarchy: the ministerial incapacity of the duc d'Aiguillon and the financial blunders of the abbé Terray quickened their march.

Domestic
affairs.

In the month of November incessant rains occasioned unusual floods throughout England, during which Solway Moss in Cumberland began to flow; and rushing like a torrent over adjacent tracts, swept off houses, cattle, and trees; destroying near a thousand acres of land. Among the domestic events of the year, was the birth of prince Ernest Augustus, which took place on the fifth of May. In September, a grand chapter of the order of the garter was held at Windsor, for the installation of their royal highnesses the prince of Wales and the bishop of Osnaburg, the dukes of Cumberland, Mecklenburg, Brunswick, Marlborough, Grafton, and the earl of Albemarle.

Prince of
Wales.

The heir apparent had now arrived at an age when a more systematic plan of education became necessary: the earl of Holderness therefore, a nobleman of considerable attainments and dignified manners, was appointed governor, with Dr. Markham and Cyril Jackson, as preceptor and sub-preceptor.⁵ The plan of private education thus adopted was severely censured at the time, as too narrow and confined for the future sovereign of a free country; nor was it thought that any results which could arise from placing the prince at one of our public schools, would be more unfavorable than those which might proceed from the severe system of restraint to which he was now subjected. A few years only elapsed before lord

⁵ The former was afterwards archbishop of York, the latter dean of Christchurch.

Holderness requested leave to resign his important trust, complaining that a secret and dangerous influence existed, injurious to his authority; but what this influence was, or whence it came, could never be clearly explained. The next governor was lord Bruce, who retained his office a few days, and retired with the earldom of Aylesbury conferred on him: he was succeeded by the duke of Montague, with Mr. Hurd, afterwards bishop of Worcester, and Mr. Arnald,* of St. John's college, Cambridge, as preceptor and sub-preceptor.

The young prince at a very early age showed great aptitude for acquiring the elegancies of literature; and with becoming gratitude always acknowledged how much he was indebted to his tutors, especially Markham and Jackson, for their excellent method and skill in imparting knowledge to their pupils. About this time the king so far relaxed his system of immediate superintendence over the prince of Wales, that he appointed for him a separate establishment at the queen's palace, with a royal chaplain: for that office the unhappy Dr. Dodd was a candidate, seconded by the strong recommendation of lord Chesterfield: but the king's private judgment of Dodd's character rendered all the interest exerted for him unsuccessful.

The life led by their majesties at this period was characterised by extreme simplicity, in the habits of which their offspring were carefully brought up; and this at a time when luxury was beginning to pervade all classes of society: on certain state occasions a truly royal magnificence was displayed; but generally no more than might have been found in any genteel English family. Though the habits of both were frugal, and in some instances perhaps too parsimonious for their exalted station, yet many examples are recorded, in which they exhibited a proper spirit of benevolence and generosity.

Domestic
habits of
the king.

In the midst of popular discontents, now so prevalent, the external marks of which were directed more against the king than ministers, his majesty

* He had been the senior wrangler of his year in 1766.

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turned his attention to the useful science of agriculture, in which he passed many tranquil hours, smiling at his new appellation of 'farmer George,' and unmoved at the reproaches with which he was assailed. The improved system which he adopted at Richmond was successfully carried on by the duke of Bedford, Mr. Coke, and many other distinguished agriculturists, to the great benefit of this nation; nor did its king disdain the character of a practical farmer; sending the produce of his land to market as a criterion of his success, and deriving considerable profits from his speculation: he was even a contributor to Arthur Young's *Annals of Agriculture*; and his papers in that work, signed Ralph Robinson, Windsor, contained many judicious and useful observations.

Meeting of
parliament.

As no urgent business claimed attention, parliament did not meet till the twenty-ninth of January. The first debate originated in a motion to vote 25,000 seamen for the current year: this augmentation was opposed as too small if war was expected, and too large to be kept up in peace: it was however carried, on the plea that the state of our possessions and relations in all quarters of the globe required it. The armament destined for India was declared necessary, not only to cope with the French, who were beginning to intrigue with the native powers; but as a check on the conduct of the company's servants, of whose peculation and misconduct the minister made grievous complaints: and as the whole disposition and management of the navy, particularly the abuse of guard-ships, had been called in question by admirals Keppel and Saunders, he promised that in the course of a year eighty ships of the line should be equipped and ready for service; which force would be more than sufficient to cope with the French and Spaniards united.

Debates on
subscription to
articles of
religion.

For some time past the important subject of subscription to the articles of religion had occupied men's minds, and formed a fertile source of controversy and ill-will: systems established at early periods of the reformation were thought by many honest inquirers to be tainted with errors and inconsistencies arising

from the prejudices and disputes which then prevailed; and it seemed extraordinary, that the opinions of those who so long ago settled the doctrines of our church on the most abstruse points of christianity, should be considered as accurately and infallibly right. Numerous members of the establishment itself manifested an anxiety to be released from subscription to subjects of belief which the controversies of learned men had rendered dubious: a society therefore was formed, principally of clergymen, with archdeacon Blackburne at its head, but joined by some members of the legal and medical professions, for the purpose of obtaining relief from subscription to the thirty-nine articles; and a petition, drawn up and signed by about 240 of such persons, was presented to the house of commons. It stated that while the fundamental principles of protestantism consisted in the right of private judgment, and reference to the exclusive authority of holy scripture, they were required to acknowledge, that certain articles of faith and doctrine, drawn up by fallible men, were all exactly agreeable to scripture. Such subscription was represented as a great hindrance to the spreading of true religion; since it discouraged free inquiries into the real sense of the sacred writings, divided communions, and caused animosity among protestants, even of the establishment itself; that it afforded occasion to unbelievers for charging them with prevarication, and with interested or political views in subscribing to articles which they could not believe, and about which hardly two were agreed in opinion: also that it afforded a handle to papists for reproaching them with inconsistency regarding their separation from the Roman church.

The students of civil law and physic complained of the universities, particularly of one, where they were obliged, at their first admission, and at an age totally unfit for disquisitions and decisions on affairs of such moment, to subscribe unfeigned assent to a variety of theological propositions, in order to obtain academical degrees; though their private opinions on such subjects could be of no consequence to the public; and

the course of their studies and practice left them little means or leisure for examination: they also lamented the case of their sons, who at an immature age might be irrecoverably bound down to opinions and tenets of ages more bigoted and far less informed than their own.

Sir William Meredith, who brought up this petition, said that he considered it as meriting the most serious attention; since grievances which affect the conscience are of all others the most grievous: that it was inconsistent with the liberality of the present age to oblige men to subscribe to the truth of articles which they could not believe; that such injunctions, tending to establish, under religious authority, habits of prevarication and irreligion, were productive of great licentiousness in the church, and operated to the destruction of christian charity. The removal of these unworthy shackles, he affirmed, would give a strength to the establishment which nothing could shake; nor could any danger arise from such a reformation while the hierarchy existed.

The great champion of the high church party on this occasion was sir Roger Newdigate, member for the university of Oxford. He considered the petition as praying to overturn the church of England, which he knew not where to find except in its thirty-nine articles and book of common prayer: he accused the clergymen, who had signed this document, of possessing most accommodating consciences, and such as had subverted the church in the last century. The house, he declared, had no power to dispense with oaths, or to relieve those who had subscribed: that it could not receive the petition; since to comply with it would be a breach of the articles of union between England and Scotland; and the king is bound by oath never to admit any alteration in the liturgy or the articles.

Mr. Hans Stanley spoke at great length, with more moderation, but intirely against the petition, as containing a subject unfit for the future deliberation of the house: though it was not wholly a new proposal to alter the religion of the country, yet this can only

be authorised when a change takes place with the governing powers; and there was a seeming contradiction in an inferior number coming to solicit a material alteration affecting the majority. He declared himself a warm friend to toleration; but asked, where was the great hardship, when persons, who had sincere scruples, were obliged to seek other virtuous employments, if they could not accept of church preferment on its present terms? He allowed that there might be many hard cases; but where are the general laws that can guard against inconvenience to individuals? He entreated the house to pause before it brought such a subject under discussion; for though a free country may alter any law, yet there are some laws so fundamental, that they cannot be altered without shaking the very basis of the state.

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Mr. Wedderburne thought that subscription to certain articles of belief was necessary to an establishment; but he combated the objection which related to a violation of the union; observing, that the legislature had already exerted a power of altering church government since the union, by the act against occasional conformity in England, and by that which destroyed elective patronage in Scotland, and deprived the people at large of the right of choosing their pastors. 'What, indeed,' said Mr. Burke on this point, 'should we think of the wisdom, to say nothing of the competence, of that legislature, which ordained to itself such a fundamental law at its outset, as to disable itself from executing its own functions; which should prevent it from making any farther laws, however wanted; and that too, on the most interesting subject belonging to human society? Such an act would for ever put the church out of its power; raise it far above the state; and erect it into that species of independency, which it is the great principle of our policy to prevent.'—'I will not enter,' he said, 'into the abstract merits of our articles and liturgy: perhaps there are some things in them which one would wish had not been there; and they are not without the marks and characters of human frailty: but it is not human

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frailty and imperfection, or even a considerable degree of them, that becomes a ground for alteration; for by no alteration will you get rid of those errors, however you may vary them.' He also argued from the present times, and observed;—'if you make this a season for religious alterations, you will soon find it a season of religious tumults and wars.'—'But these gentlemen,' he continued, 'complain of hardship: the hardship amounts to this;—that the people of England are not taxed two shillings in the pound to pay them for teaching, as divine truths, their own particular fancies. The laws of toleration provide for every real grievance: if they do not like the establishment, there are a hundred different modes of dissent in which they may teach. But how do you ease and relieve? How do you know, that in making a door into the church for these gentlemen, you do not drive ten times their number out of it? Alter your liturgy: will it please all, even of those who wish for an alteration, or those who wish for none at all? And then these men, who now complain of being shut out, will themselves bar the door against thousands: dissent, not satisfied with toleration, is not conscience, but ambition. If you will have religion publicly practised and taught, you must have a power to say what that religion shall be which you protect and encourage, and to distinguish it by such marks and characteristics as you in your wisdom shall think fit: your determination may be unwise, but it cannot be unjust or oppressive; contrary to the liberty of any man, or exceeding your province: it is therefore as a grievance fairly none at all; nothing but what is essential, not only to the order, but to the liberty of the whole community. The petitioners themselves are so sensible of this, that they do admit of one subscription, that is to the scripture; which militates with their whole principle against subscription, as a usurpation on the rights of Providence: and if that rule were once established, it must have some authority to enforce obedience, somebody to sit in judgment on conformity; for a law without sanction is ridiculous.' He then went on to show, from the

different opinions of churches on the canon of scripture itself, that men are as little likely to be of one mind on this point as on any other.

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The house in general seemed to think that it concerned the public but little, whether practitioners in law and physic were bound by subscription to the articles; and a wish on all sides was expressed, that the universities would grant relief to them, as well as to all young students at the time of admission or matriculation.

Toward the close of the debate, lord North said, he hoped to have seen nothing in the petition to prevent him from recommending that it should be laid on the table, meaning however to oppose every attempt to go farther: but he thought it repugnant to the act of union; and if such indulgences should be granted, there would after that time be nothing which could exclude a man from the church of England, but popery: any innovation in the forms prescribed would occasion such contentions in the nation, that not poppy nor mandragora could ever restore it to its former state of repose.

Mr. Dunning replied to this, that he never knew till now, that it was a principle of sound policy to narrow the means of access to emolument; and he had always thought that every good subject ought to be considered as entitled to a proportional chance of obtaining posts of profit and honor. In the course of the debate he had observed that the same premises had led different members to very opposite conclusions: one declared that our reformation from popery was effected by the spirit which this petition was designed to promote; and another asserted that the granting of this petition would have a direct tendency to bring us back to popery. He could not foresee that the quiet of the nation would be endangered by it; but if the repose which the nation now enjoyed partook of that torpid state of insensibility which his lordship's mandragora had diffused through the house, he should wish to see it broken as soon as possible; for it was

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an alarming symptom, which, instead of betokening health, was the forerunner of destruction.

The debate did not close till after midnight, when the petition was rejected by 217 votes against 71. Many thought that the framers of it, by asking too much, lost everything; for if they had petitioned only for exemption from subscription to certain of the articles, there existed a disposition in the house to have yielded so far. In this very year, the university of Cambridge, greatly to its honor, released all candidates for the degree of bachelor of arts from subscription to the thirty-nine articles; the following declaration being introduced in its place:—‘I, A. B., do declare that I am, *bonâ fide*, a member of the church of England, as by law established.’ On this interesting subject one or two passing observations may be allowed. It would seem, that the clergy of our establishment are precluded by the very act of subscription from bringing forward any plan for altering the articles and liturgy of their church: yet it is well known that there are many among them anxious to see such alterations made, as might relieve tender consciences, and be the means of drawing numerous recusants within the pale of its communion. Is it not then a duty incumbent on the legislature to take this subject seriously into consideration? The country contains an abundance of pious and learned men, into whose hands a revisal of our forms might be committed, without the least danger to any point of vital importance: nor should it ever be forgotten, that a system of exclusion may be carried too far for the safety of that very establishment which it is intended to protect.

Ecclesiastical
nullum
tempus bill.

Another debate, in which the clergy were concerned, occurred on a motion made for leave to bring in a bill which might secure the possessions of the subject against dormant claims of the church. As the *nullum tempus* of the crown had been conceded in favor of the people, it was argued, that no reason existed why some limitation in this respect should not be set to

ecclesiastical power; which in various instances had proved a severe grievance. The arguments on the other side went to show, that this power of reviving claims was necessary to protect the church from encroachments: in the case of the crown it was an instrument in the hands of the strong to oppress the weak; in the case of the church it was a defence of the weak against the strong. The motion was accordingly rejected by 141 to 117.

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Last year, the duke of Cumberland, second brother to the king, but greatly below him in moral character and intellect, had contracted a marriage with Mrs. Horton,⁷ which was extremely disagreeable to their majesties: it had also been long believed that the duke of Gloucester was privately married to the dowager countess of Waldegrave. Under these circumstances, a message from the king was sent on the twentieth of February to both houses, importing that his majesty thought it would be wise and expedient in parliament to render effectual, by some new provision, the right of the sovereign to approve all marriages in the royal family: in consequence, a bill was brought into the house of lords, for rendering the descendants of George II., excepting only the issue of princesses affianced into foreign families, incapable of contracting marriage without the consent of the king or his successors, signified under the great seal, and declared in council: there was however one clause inserted which deviated from the tenor of the royal message; it being provided, that such persons, being past the age of twenty-five, and giving twelve months' notice to the privy council, might marry without the king's consent, unless both houses of parliament should within that time declare their disapprobation. The bill was strongly opposed both in the upper and lower house on the grounds of law, policy, and morality: in the latter it was carried only by a majority of forty; and in the former nineteen peers entered a long protest, declaring that such an act, if it passed into a law, would be

⁷ A daughter of lord Irnham, and sister to colonel Luttrell.

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void.⁸ It was also said, while this bill was depending in parliament, that its title should be, 'an act for encouraging fornication and adultery in the descendants of George II.' It was not very pleasing to the nation, and excited some prejudice against the queen; whose German pride was thought to have taken fire at the elevation of lady Waldegrave and Mrs. Horton to the rank of her sisters-in-law. Before the act passed, the duke of Gloucester thought proper to avow his marriage.

During the debates on the anti-subscription petition, some even of its opposers had expressed an opinion, that although it might be just and reasonable to require subscription from persons wishing to enter into the established church, yet it was hard to demand it from dissenting ministers and schoolmasters. By the act of toleration, they were required to subscribe those articles only which relate to doctrine; and when that act was passed, dissenters in general agreed with churchmen so far in point of doctrine, that this obligation was not felt as a grievance: but the spirit of inquiry, unshackled as it was among them, had effected such changes of opinion, that only a small proportion of their ministers had complied with the requisition; the greater number therefore were liable to legal penalties, though from the tolerant spirit of the age these had not been enforced.

Sir Henry Houghton now made a motion to relieve dissenters from subscription, and from the operation of the penal laws; but he was strongly opposed by the high church party, who declared that such an exemption would open a road to heresy and infidelity, encourage schism, and ultimately destroy the church of England. The supporters of the bill contended, that subscription operates against the moral and conscientious, whilst it is disregarded by the profligate and wicked: that with respect to changes in opinion charged against dissenters, the progress of knowledge

⁸ 'I think,' says Mr. Nicholls, 'they were right in this opinion: sir Edward Coke, sir Matthew Hale, and sir John Holt, have all laid down this doctrine in the most explicit terms; that an act of parliament, repugnant to the law of God, is void.'—Recollections, vol. i. page 33.

and civilisation must occasion diversity of sentiment; but though some few might hold principles inimical to christianity, yet such an allegation against the whole body was totally false; that ever since the revolution, they had been stanch friends of civil and religious liberty, supporters of our constitution under the present royal house, and zealous defenders of the christian faith against its most virulent opponents. Such men, it was said, deserved to enjoy something more than mere impunity, and that too by connivance. 'Liberty,' exclaimed Mr. Burke, 'under a connivance! connivance is a relaxation from slavery, not a definition of liberty.' — 'If,' said he, 'I were to describe slavery, I would say with those who hate it, that it is living under will, not under law.' — 'The cause of the church of England,' said the honorable member, 'is included in that of religion, not that of religion in the church of England;' and he strongly recommended a union of protestants, in order that they might oppose with greater effect the assaults of infidelity. Such considerations induced a large majority in the house of commons to vote for the bill; but in the peers it was so strongly opposed by the bench of bishops and the ministry, as injurious to the established church, that it was rejected by the large majority of 102 to 29.

Two other circumstances in this session, which was so remarkably occupied with ecclesiastical affairs, deserves notice. Dr. Nowell, principal of St. May's hall, Oxford, having preached a sermon before the commons on the thirtieth of January, containing sentiments repugnant to liberty and to the constitution as established at the revolution, received the thanks of the house as a matter of course; but when the sermon was printed, its true character appeared, and a motion was made to expunge the former resolution, which was carried without a division. Mr. Thomas Townshend even proposed that the sermon should be burned by the common hangman; and this also might have been carried, if the house had not recollected that something was due to its own dignity. Soon afterwards, Mr. Montague made a motion to repeal the act enjoining

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an observance of that anniversary; and attacked the appointed form of prayer as blasphemous, inasmuch as it contained a parallel between Charles I. and our blessed Savior: it was defended by that highest of high church Tories, Sir Roger Newdigate; and the motion was defeated by a majority of 125 to 97.

The affairs of the East India company also were brought very prominently before parliament. The increase of its power, after the memorable success of Clive in the preceding reign, had been followed by such gross mismanagement and abuses, that Mr. Sullivan, deputy-chairman of the company, was obliged to make a motion on the thirtieth of March for leave to bring in a bill for the better regulation of its officers and concerns in India: the object was to establish new and important regulations; restraining the governor and council of Bengal from all concerns in trade; changing the courts of judicature there; and giving to the directors greater control over their servants. This motion drew from Lord Clive a long and labored defence of his conduct during his last expedition to India, undertaken solely with a desire of benefiting the company, under whose auspices he had acquired his fortune and his fame; and which, instead of increasing, had diminished his wealth. He entered at large into the regulations he had made, especially those relating to salt; acknowledged the share he had received in the monopoly, which yielded £32,000; but this sum he had distributed to others: he also spoke of the new gold currency established at Bengal under his auspices; which had been represented as a measure calculated to enrich those concerned in it, to the great detriment of the province and the company: he exculpated himself, by saying that he knew nothing of the mixture of metals; and solemnly denied that he had gained a shilling by the coinage. He charged the directors, with having, through ignorance or obstinacy, deranged and frustrated the best-concerted plans for regulating the country; and he attributed the embarrassment of their affairs to four causes: negligence in administration, misconduct in the direc-

tion, outrageous proceedings of general courts, and disobedience shown by the company's servants in the east. His lordship stated that the clear net revenue of Bengal for 1771 was no more than £171,000, while the claim of government was £400,000: the expenses of its military establishment, since his presidency, had increased to the enormous sum of £1,800,000 per annum. 'The company's servants,' said he, 'having found out the way of making fortunes by exorbitant charges in contracts, the revenue falls short, though the sum levied on the province is little less than £4,000,000 annually: but the temptations to amass wealth by indirect means are too great for flesh and blood to withstand.' He concluded by observing that Bengal was the brightest jewel in the British crown.

Governor Johnstone, in reply, strongly arraigned lord Clive's conduct and defence. He stated that the average duty collected on salt in Bengal amounted to £40,000 per annum; but the whole had been farmed for £32,000: he also insinuated that the company had lost £300,000 by frauds in the coinage; not meaning to impeach his lordship's veracity, though he always understood that the president had a percentage on all money coined: no doubt, as his lordship affirmed it, he made no profit on this great occasion, but left that also to his friends: yet he could hardly admit, after such instances of his abilities, that he was so ignorant regarding the mixture of metals as he would have it believed. 'Do not all men know,' said he, 'that purity of coin is a principal consideration in government, and that it is of dangerous consequence to tamper with it by fraudulent mixtures?' He asked also, whether his lordship could deny that the money was deteriorated by an alloy of thirty per cent.? He objected however to the bill; because the British legislature ought not to move in the affairs of India, unless it acted with dignity and effect.

The bill was read a second time, and then laid by: ministers had no serious thoughts of entering deeply into these matters at present; and subsequent move-

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ments during the remainder of the session were only intended to keep attention awake, until some opening could be found for that great alteration which was afterwards made in the company's establishment. So much light however had been thrown on its concerns, that many were led to infer, how very unequal a company of merchants were to the sole superintendence of such opulent and vast dominions, involving the lives and fortunes of many millions of people. At length, a select committee of thirty-one members was chosen by ballot to inquire into the state of their affairs: but the objects of investigation were so various and extensive, that, before the rising of parliament, they applied for permission to sit during the recess.

It ought not to be omitted, that in this session the ancient and barbarous custom of *peine forte et dure*, by which felons refusing to plead were stretched on their backs and pressed to death with heavy weights, was abolished by an act which declared that all who are so contumacious are to be adjudged guilty of the crimes laid to their charge. On the ninth of June parliament rose: the supplies voted for 1772 were £7,860,250, and the national debt amounted to £127,500,000.

Fate of the
queen of
Denmark.

This year was pregnant with important events on the continent of Europe. We have seen that the king's youngest sister, Caroline Matilda, was married in her sixteenth year to Christian VII., king of Denmark, a prince of weak intellect, irritable and capricious, open to flattery, and easily deceived by artful persuasions. Soon after his nuptials, being actuated by a restless desire of change, he left his throne and his young bride to travel in foreign countries; and returned in the following year to his own dominions, where he soon showed that he had gained no valuable accession of knowledge by his experience of the world. A physician named Struensee, who attended him in his travels, had acquired so absolute an ascendancy over his mind, as to obtain the supreme direction of affairs, with a title of nobility: but the rash presumption of this man urged him to attempt many innovations in the

state, which rendered him very unpopular. The high favor in which he stood with the queen, and which he probably owed to his many accomplishments and engaging manners, forming a strong contrast with those of her unworthy husband, gave rise to imputations unfavorable to her character: she was accused of having been seen alone with him, and of treating him with indecorous freedom: nothing however was proved beyond these symptoms of levity, which by her friends were considered only as the innocent sallies of a lively young woman.

At length a strong party at court was formed against the favorite, under the guidance of the queen dowager, prince Frederic her son, and count Rantzau: Caroline Matilda also became an object of malice to this faction, from her supposed influence over her husband, and her encouragement of the ambitious adventurer who had presumed to domineer over the old nobility. On the night of the sixteenth of January, after a masked ball, the projected conspiracy was put into execution: Struensee and his friend Brandt were suddenly seized, cast into prison, and, after undergoing great indignities, put to a cruel death on the scaffold. The unfortunate queen, having performed the dearest of maternal duties to her infant, had scarcely retired to rest, when she was awakened by an attendant with an order from the king to remove for a time to a royal palace in the country: comprehending at once its nature, she would have rushed to her husband's apartment, but was intercepted by the conspirators; and being intirely in the power of these insolent foes, she was driven off with great rapidity to the castle of Cronensburg, and there kept in strict confinement.

For some time her life was in imminent danger; as a project was on foot to try her on a capital charge of adultery, for the purpose of rendering her offspring illegitimate, in order that prince Frederic might become presumptive heir to the throne: but the powerful and spirited interposition of the British monarch frustrated this scheme, and procured the

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unfortunate queen's freedom after a detention of about four months. The British minister brought an order for her release; but her joy was turned into mourning, when informed that she must quit her infant daughter, born only a few months before her imprisonment, the sole companion and solace of her misery, and for whom she felt a more than parental fondness. In an agony of despair she was conveyed to the vessel, on the deck of which she sat with her eyes fixed on the walls that contained this dear object of her affection, till darkness shrouded them from her view. She retired to the city of Zell in the electorate of Hanover; where a premature death ended her misfortunes at the age of twenty-four.

Death of
the princess
dowager of
Wales.

During the confinement of her unfortunate daughter at Cronenburg, the princess dowager of Wales expired, on the ninth of February. Of late years popular clamor had run very high against her; but it tells greatly to her credit, that out of her own private income she gradually paid off the heavy sums in which her husband was indebted at the time of his decease.

In this year a bloodless revolution was effected at Stockholm by Gustavus III.: the states of the kingdom underwent no change; the council only was overturned; and the violent factions of the aristocracy, led by family interests and foreign influence, were repressed. Sweden was more fortunate than Poland, in possessing a class of free citizens and a bold peasantry, which was now its salvation: the latter country, in its wretched serfs, had not even the elements of a civil constitution; while its elective monarchy was like a volcano, whose eruptions, at every change of government, threatened destruction to all things within its range. This restoration of the regal power in Sweden was viewed with different feelings by different states: England beheld it with dissatisfaction, because it was effected with the concurrence and almost by the contrivance of France: Russia felt it more deeply, because she had now less chance of effecting designs in that realm like those

which she had undertaken against Poland: she was however checked in any operations that she might have meditated, by fear both of Austria and Prussia; and she consoled herself, not only by the project in which she was already occupied; but by looking forward to a period, when the dismemberment of Turkey would throw the eastern capital of the Cæsars, with the finest ports of the Mediterranean, into her hands.

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Poland at this time presented a melancholy aspect: devastated by foreign armies, torn by civil wars, harassed by religious discord, wasted by famine and the plague, she saw her spoilers approach without the power of resistance; nor had she a single friend to whom she could look for aid. Turkey lay almost prostrate at the feet of Russia; Sweden and Denmark were engaged in revolutions of their own; Choiseul no longer directed the helm in France, where Louis XV. was slumbering in the arms of du Barry, and d'Aiguillon was engaged in imprisoning adherents of the parliament; England being embarrassed by domestic commotions and the violent remonstrances of her rebellious colonies.¹⁰

Roused by impending danger, the Polish king and nation published refutations to the pretended claims of the three powers, issued counter-declarations or memorials, and appealed to all the states that had ever guaranteed the integrity of Poland: but no appeal to humanity or justice made any impression on the assailants, who hastened to complete their work of

¹⁰ The British ministry were made aware of the rapacious projects of these despoilers by Mr. Harris, who, in the preceding year, had been appointed as our minister at Berlin to watch the Prussian monarch, alienated from us by the policy of George III. and lord Bute, and eagerly bent on seizing every means to annoy us, by rendering us suspected or odious to the continental powers. But the interest of England was remote; and from her having no point of contact with the parties, her active interference was almost impracticable, especially as the northern powers and France declined all interposition. In the menacing aspect which our differences with the American colonists had taken, the only answer returned by the British government to Mr. Harris, was, 'that he should use the utmost caution not to convey any favorable sentiments of a transaction, which, from its inconsistency with natural equity and public honor, must engage his majesty's disapprobation, though it has not been so immediately interesting as to deserve his interposition.'—Diary, &c. of the earl of Malmesbury, vol. i. p. 92.

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plunder, lest the rising spirit of Europe might possibly interfere with their projects.

The diet assembled on the nineteenth of April, and for a long time opposed the dismemberment of their unfortunate country; in which they were encouraged by the king: the ambassadors of the three courts then had recourse to terror on the one hand and to bribery on the other; menacing the unhappy monarch with deposition, his family with ruin, and the capital with pillage; while they lavished presents and promises on members of the diet, and employed every engine of corruption to obtain their ends. Even when the Poles gave way, Stanislaus long continued firm, threatening to abdicate his throne rather than dishonor his character; but he had not energy to endure the extremity of his fortune, or spirit to disdain a crown held only by sufferance from his oppressors; so yielding to the menaces of the Russian ambassador, he signed the fatal instrument which severed its fairest provinces from his kingdom: the partitioning powers dared not trust to the forbearance of an injured people; but procured an act to dissolve the diet, and to appoint commissioners for adjusting their respective claims, and settling a new constitution for the country.

The delegates entered on their humiliating office, and before the month of September divided the plunder as follows: to Russia was assigned Polish Livonia, parts of Witepsk, Polotsk, and Minsk, with the whole palatinate of Micislaw, containing a population of 1,500,000 souls—to Frederic the district called Royal or Western Prussia, with a population of 860,000—to Austria, as an equivalent for obsolete claims on behalf of the crowns of Hungary and Bohemia, a large and fertile territory in southern Poland containing 2,500,000 souls, with the valuable salt-works of Vielitzka, the annual revenue of which was £90,000: this district was annexed to the Austrian dominions, under the ancient title of the kingdoms of Gallicia and Lodomeria. But the treaty of partition was scarcely signed, when the courts of Berlin and Vienna began to lust after new encroachments: Frederic extended the limits

of his acquisitions in the neighborhood of Thorn, and to the east of the Devenza; while Austria seized on Casimir, part of the palatinate of Lublin, and lands lying on the right bank of the Bog. Each connived at the other's rapacity, and from the position of affairs they seemed likely to succeed in their encroachments.¹¹

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But the plunderers did less injury to Poland by the dismemberment of its provinces than by the new constitution imposed on the state, which excluded all reform, perpetuating the elective monarchy, with the *liberum veto*, the exorbitant privileges of the nobles, and every other inherent defect; while it contracted the regal power, by appointing a co-operative council, and taking from the sovereign more than half his patronage. The delegates, though chosen by foreign powers and awed by foreign bayonets, long resisted these new regulations; but after about two years, their consent being extorted, the commission was dissolved; and a general diet assembled, which formally confirmed their acts. Thus all things were put into a proper train for future spoliation: nor did a long time elapse before another opportunity occurred of abrogating the law of nations, and dissolving those ties which connect governing powers among themselves.

'What,' says professor Heeren, 'were the consequences to Poland, in comparison with those which threatened the political system of Europe? The potentates themselves had begun its subversion! Politicians flattered themselves indeed, and so did Frederic, that the balance of power would be upheld in the north by the nearly equal division: so fearfully had the error taken root, that this balance is to be sought in the material power of the state, and not in preserving the maxims of international law. What dismemberment could be illegal, if this should be regarded as lawful? and what state could be more interested in maintaining the law of nations than Prussia; a state, which was established by conquests piecemeal, and brought together by compacts and treaties of peace?'¹²

¹¹ Coxe's Austria, vol. iii. pp. 508, 509.

¹² vol. ii. p. 147.

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Investiga-
tion of the
Middlesex
election.

Catharine however saw in the constitution of Poland a ready way of establishing her future preponderance in the system, and of advancing her enormous power still farther toward the heart of Europe.

The dispute concerning the Middlesex election was this year revived in a new mode of investigation: Alderman Townshend brought an action against a collector of the land-tax, for distraining a large quantity of hay, in default of payment, which was refused on the plea of Middlesex not being represented in parliament. Mr. sergeant Glynn, who was retained for the plaintiff, took this opportunity of recapitulating the whole case; and observed to the jury, that if they coincided in opinion with him regarding the non-representation of the county, they would find for his client; but if they thought the present house of commons had authority to impose such a tax, then the defendant was justified. Mr. Wallace, on the other side, contented himself with producing the act of parliament under which the collector had distrained: Lord Mansfield then told the jury that the sole question was, whether there was at the present time any legislative power in the country, or not: if they acknowledged that there was, they must find for the defendant; as Mr. Glynn's evidence was, in his opinion, inadmissible. The jury immediately found as directed; and Mr. Townshend declared in court that there the affair should end.

On the fourteenth of August, lord Hillsborough resigned his appointments of secretary for the colonies and first lord of trade; being succeeded in both by the earl of Dartmouth: as this nobleman had voted against the stamp-act, and always opposed the taxation of America, it was concluded that different measures would be taken with regard to the colonies. The earl of Harcourt succeeded lord Townshend in Ireland; the latter being appointed master-general of the ordnance: on the death of the earl of Albemarle, the government of Jersey was given to general Conway, whom sir Jeffery Amherst succeeded as lieutenant-general of the ordnance: lord Stormont was sent

ambassador to Paris; Mr. Jenkinson was made vice-treasurer of Ireland; and Charles Fox a lord of the treasury.

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England had now enjoyed nine years of peace; but though the active spirit of the nation was engaged in great public undertakings for the facility of internal trade, foreign commerce still languished: that with America could scarcely be expected to thrive in the present temper of the two countries: the profits of the Levant trade began to fail, owing to the superior advantages possessed in the south by France, which enabled her to undersell us: our beneficial commerce with Portugal also was on the decline; and the only compensation for these losses was an increased trade with Russia in consequence of her advancing civilisation: still the balance was against us in many parts of Europe; and though our gold coin was reduced to a shameful state of deficiency, large quantities were secretly transported by the Jews.¹³ Vast fortunes at this time were acquired in the east; and those who returned to their native land became anxious to invest their capital in land, the value of which rose to an unexampled height: the banks became full of cash, so that government was contemplating a reduction of legal interest from five to four per cent.; for notwithstanding these appearances of wealth, the public funds were lower than they had been since the conclusion of the war.

State of the
country.

This state of things was very favorable to commercial enterprise, since money was easily procured on personal security: but many resorted to pernicious methods of obtaining it, by drawing and negotiating bills of exchange, or issuing notes of hand, without any valuable consideration given; by which means imaginary capitals were raised, and abuses became so excessive as to shake all confidence between man and man. People without any property, some even in a state of insolvency, kept up an appearance of opulence, and ran desperate risks in order to snatch the gifts of fortune: dissipation

¹³ History of lord North's Administration, p. 81.

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and extravagance both led to these practices, and followed them: men grew careless of expenses, because they could so easily raise money to support them; and others were driven to such expedients, after they had squandered their property. Hence also speculations in the public funds were carried on to a mischievous extent, especially those in India stock, the great fluctuations of which afforded ample scope to the insatiate gamester. One adventurer, who had risen by these means, from a low estate, to be a rival of princes, contracted for the delivery of India stock, to an immense amount, at a given day, under a full assurance of its fall: but he was deceived; the stock rose to a great height; and the unlucky speculator, with his partners, was involved in ruin: this failure affected others; many considerable merchants and bankers were reduced to indigence; and wealthy families were brought to the lowest pitch of distress. In this general state of alarm and distrust, the Bank of England refused to discount bills; and men of great property, who had embarked in large concerns, felt all the embarrassments of poverty; being scarcely able to raise money on any kind of security. The landholder alone was safe, though even he was obliged to contract his expenses: but the shock, disastrous as it was, proved useful in its consequences, by inculcating prudence and caution, and placing commercial transactions on a more sure and solid basis.

Embarrassments of the East India company.

In the midst of these commercial distresses parliament was convened early in winter, on account of the unpleasant state of the East India company, who had accepted bills amounting to four times the sum for which the council was allowed to draw; and owing to a failure in returns, were indebted to the Bank for money borrowed, to the revenue of the customs for duties, and to government for their quarterly payment.

The chairman of the secret committee reported to the house, on the seventh of December, that the company, notwithstanding their want of money, were preparing to increase this pecuniary distress by sending out supervisors to Bengal, at an expense of

£120,000 per annum; and he recommended that a bill should be brought in, to restrain them for a limited time. As it was seen that such a bill would be only preparatory to the interference of government in the administration of India, the discussion called forth great powers of eloquence and argument. The attorney and solicitor-general contended that the company's charter did not empower them to appoint supervisors: it was stated that the corrupt practices of their servants were too enormous for a court of directors to correct; and that the authority of government was necessary for restoring their rights to the inhabitants of Hindostan, and placing the finances of the country on a proper footing. This subject led to an inquiry, whether a mercantile company, acting under a charter, has a right to conquer, hold, and legislate for territories, independently of the state.

During the progress of this bill, a petition was presented from the company, representing it as subversive of rights and privileges held under their charter, purchased by their predecessors for a valuable consideration, and confirmed by acts of parliament, which had never been violated. In this memorial they complained of an erroneous calculation of expenses made by the committee; and stated that those of the commission would be defrayed by savings meditated, to the great benefit of creditors: they intimated injurious consequences which might arise, from their being prohibited to arrange their affairs, in the want of means to fulfil their engagements; claiming with all humility the benefit of the law, and appealing to the good faith of the nation for their chartered rights; they also prayed to be heard by themselves or counsel against the bill.

Counsel having been admitted, it appeared in evidence that government had received little less than £2,000,000 annually from the company, which at the same time had lost £1,000,000 by the indemnity agreement on tea, of which £700,000 went to government, and the remainder to the purchasers. It was shown that the profits of their trade for the last five

years would have given a dividend of twelve and a half per cent. to the proprietors; whereas they had scarcely divided more than six per cent.; while government had been benefited to an immense amount. The great abuses and gradation of extravagance in the civil and military departments, were duly set forth, and stated to be proper objects of regulation, whereby savings, vastly superior to the expenses of supervisors, might be effected; other abuses also in the erection of barracks and forts, as well as in the levying of certain taxes, were shown to be capable of correction. Until the select committee of lord Clive was appointed, the civil and military expenses at Bengal had never exceeded £700,000: next year they came up to £900,000: and so on, till in 1771 they reached £1,800,000: this showed that a commission of able and upright men might effect savings of great importance. It was finally contended, that the company had a chartered right of managing their own concerns, in return for signal services rendered to the nation.

The evidence thus given served to establish great delinquency in the company's servants, but not its own competency to redress abuses: the mention of the select committee was peculiarly unfortunate; for although formed for the very purpose of redressing them, it had given rise to the enormities complained of. The question was, whether the present exigences and imbecility of the company warranted an interposition of parliament: on the side of ministers, the bill was acknowledged to be a stretch of authority, justifiable only by cogent necessity; which necessity clearly existed, so as to take precedence of all other law. Lord John Cavendish thought differently: he said, 'when extraordinary remedies become ordinary engines of government, they are signs of a weak ministry: men of abilities foresee great evils; and if such arise, they know how to remove them, without offering violence to the general system, and to those sacred institutions, which are to human society, what gravitation is to the universe.'

Mr. Burke's speech on this occasion attracted much

attention. He observed, that in 1767 parliament took the state of the company's trade and revenue into consideration, for the maintenance of public faith and public credit; for the increase of its commerce and resources; and for the security of its stock-holders. 'One and forty hours,' said he, 'did the house sit on this business; and what was the result? what did this mountain in labor bring forth? No mouse truly, but a fair round sum of £400,000 a-year to government.' Thus did parliament support public faith and the company's interests, by extracting from its necessities a reasonable sum to pay off the arrears of the civil list; arrears so honorably and usefully contracted! The eyes of parliament were dazzled by its lucrative bargain: the company, without the aid of precedent or light of experience, without chart or compass, was allowed to steer at random through this perilous ocean: the wonder would have been, if they had not been lost. 'The distress of the company,' said the honorable gentleman, 'arises from the improvidence of administration, and the short-sightedness of parliament, in not forming for it a system of government suitable to its form and constitution. Or am I mistaken? Were the affairs of the company designedly left in confusion, and the directors without any effectual control over delinquent servants? Was the collection of the revenues left without any check? Was the tyranny of a double government, like our double cabinet, tolerated with a view of seeing the concerns of the company become an absolute chaos of disorder, and of giving to government a handle for seizing the territorial revenue? I know that this was the original scheme of administration, and I violently suspect that it never has been relinquished. If ministers have no sinister view, if they do not mean by this unconstitutional step to extend the influence of the crown, they will now speak out, and explicitly declare their intentions: their silence may be justly construed into a confession of such a design; and they will thenceforth be considered as the determined

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enemies of the liberty of their country. God knows, that the places, pensions, and expectances furnished by the British establishment, are too powerful for the small remains of patriotism and public spirit remaining in our island: what then will become of us, if Bengal, if the Ganges, pour in a new tide of corruption? Should the evil genius of British liberty so ordain it, I fear this house will be so far from removing the corruption of the east, that it will be corrupted by it: I dread more from the infection of that place, than I hope from the virtue of this house. Was it not the sudden plunder of the east that gave the final blow to the freedom of Rome? What reason have we to expect a better fate? I conjure you, by every thing which men ought to hold sacred; I conjure you, by the spirits of your forefathers, who so nobly fought and bled in the cause for which I now plead; I conjure you, by what includes every thing, by your country, not to yield to temptations which the east in the hands of the crown holds out; not to sink into the gulf of corruption, and to drag after you your posterity, your country. I obtest heaven and earth, that in all places and at all times, I have hitherto shoved by the gilded hand of corruption, and endeavored to stem the torrent which threatens to overwhelm this land. On the whole, the bill is dangerous in itself, as being a first step toward the total invasion of the company's territories in Bengal; and, should we admit the motives which lead to it to be good, yet such a step is dangerous as a precedent. I do not, however, deny that the house has power to pass it, but you have not the right; there is a perpetual confusion in gentlemen's ideas from inattention to this material distinction; from which, properly considered, it will appear, that this bill is contrary to the eternal laws of right and wrong; laws that ought to bind all men, and, above all men, legislative assemblies.' On a division, the bill passed by a majority of 153 to 28. In the house of lords it met with only a faint opposition, but produced a protest, declaring that it was the duty of the

company to appoint a commission for correcting abuses ; and that a neglect of applying legal powers to the ends for which they were given, would have been a matter of delinquency : that government, it was said, must be full of deceit and violence, under which men are to be punished if they decline, or restrained if they attempt to exercise their lawful powers. When this question was settled, the two houses adjourned for the Christmas recess.

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CHAPTER XIV.

GEORGE III. (CONTINUED.)—1773.

Affair of the Caribbs of St. Vincent's—Disturbances in other colonies—Augmentation of half-pay to captains of the navy—Attempts made to relieve dissenters from subscription—Affairs of the East India company—Conduct of lord Clive arraigned and defended—His death—Operations of the city faction—Statement of affairs under lord North's administration—Birth of prince Augustus Frederic, and of princess Sophia of Gloucester—Wilkes's impotent efforts to annoy the king, &c.—Parliamentary reward given to Mr. Harrison—Warlike preparations of France counteracted by English diplomacy—Affairs of Ireland under lord Harcourt—Affairs of North America—Opposition of principles—Disputes between governor Hutchinson and the assembly of Massachusetts—A long delay of hostilities impracticable—Publication of governor Hutchinson's letters—Proceedings of the privy council on the subject—Franklin's examination, &c.—Petition of the colonists dismissed—Exasperation of the people at Boston on the arrival of tea-ships—Occurrences which took place in consequence—Renewed altercations between the governor and assembly—The latter votes articles of impeachment against the chief justice—Rejected by the governor—Assembly dissolved—Domestic occurrences—Military discipline—Voyage of captain Phipps—Meeting of parliament—Rev. John Horne brought to the bar of the house of commons for a libel on the speaker, and discharged—Mr. Grenville's bill for trying controverted elections made permanent.

Caribbs of
St. Vin-
cent's.

ONE of the earliest questions which occupied the attention of parliament, when re-assembled, had been brought before it in December, but deferred till after the recess: this related to the Caribbs, or aboriginal inhabitants of St. Vincent's, ceded to Great Britain at the peace; who had not been mentioned at the cession, but were in possession of the most fertile parts of the island: these the British settlers wished them to ex-

change for tracts which were said to be more appropriate to their occupations of hunting and fishing; but the proposal was received with indignation by a brave people, animated by an ardent love of liberty, and passionately attached to their native plains: in reply, they declared that they had held their lands independent of the king of France, and would still hold them independent of the king of England. The planters, apprehensive of a contest with such inflexible neighbors, who could number a thousand fighting men in their tribe, submitted a plan to government for transporting them to Africa, which was too hastily accepted: the aborigines determined on resistance; and two regiments were despatched from North America, to join an equal number in the island, for the purpose of reducing them to subjection; Providence, however, favored the just cause; for the rainy season, and sickness, added to the difficulties of the country, prevented our troops from making much progress, until the account of these hostilities came before parliament, and was made the subject of severe animadversion. Motions concerning the cause of the war, and the state of our troops, gave rise to many animated debates; and though negatived by large majorities of a subservient house, which showed in this, as in numerous other instances, how much it wanted reform, excited public attention to a great degree: intelligence however at length arrived, that a peace had been concluded; in which the Caribbs acknowledged themselves subject to British laws in their intercourse with the whites, retaining their ancient customs in their intercourse with each other, and ceding certain districts to the new inhabitants. The native and negro population of provinces under other governments, about this time raised insurrections against the European settlers; particularly that of Surinam, a colony belonging to the Dutch; which nation has ever been most notorious for treating its slaves and dependents with extreme rigor and injustice. The insurgents were so irritated by wrongs, so well provided with arms, and so expert in the use of them, that it became necessary to send ships and

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troops from Holland, and to proceed against them as regular enemies; not so however in the cruel punishments and many executions that followed. In Brazil and Chili similar disturbances had lately arisen, to which latter country an armament was sent from Spain.

On the ninth of February a petition from the captains of the navy was presented by lord Howe, praying for a small increase of their half-pay; and though opposed by the minister, from a principle of economy, and the danger of opening a door to similar claims, a motion was carried in favor of that gallant class of men, whose allowance was increased by the addition of two shillings a day.

Farther attempts were made to relieve dissenters from subscription; and a bill, differing in many respects from that of last year, being brought in, was supported by similar arguments and similar success in the commons, but it was rejected by the lords. On this occasion, the following observations were said to have been addressed by lord Chatham to Dr. Drummond, archbishop of York; who, in his opposition to the measure, had called the dissenting ministers 'men of close ambition.' 'Whoever brought such a charge against them,' said his lordship, 'defamed them.' After a pause, he added:—'The dissenting ministers are represented as men of close ambition: they are so, my lords: their ambition is to keep close to the college of fishermen, not of cardinals; and to the doctrine of inspired apostles, not to the decrees of interested and aspiring bishops: they contend for a spiritual creed and spiritual worship; while we have a Calvinistic creed, a popish liturgy, and an Arminian clergy.'¹ A motion was made for a committee of the whole house of commons to take into consideration the subject of subscription to the thirty-nine articles, or any other tests required of persons in the universities: but this, after a considerable debate, was rejected by 159 against 64.

Debates on
East India
measures.

During the recess the East India directors adopted

¹ Debrett's Parliamentary Register, vol. xxvii. p. 179.

a measure which prudence would have suggested earlier, in reducing their dividend to six per cent.: but this palliative was of no avail; and they were obliged to pass a vote asking government for a loan of £1,500,000 for four years, at four per cent., with liberty to repay it by instalments of £300,000.

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The petition presented to parliament in pursuance of this resolution, proposed that no dividend of more than six per cent. should be made, until half the aforesaid loan was discharged; that the surplus of the net profits arising in England above that dividend should go to pay the company's bond debt, until it was reduced to £1,500,000; when the surplus profits should be divided equally between the company and the public: a request was also made, to be released from heavy penalties incurred by non-payment of money due in consequence of the late acts for indemnities on tea; as also from the annual payment of £400,000 for the remainder of the five years specified in their contract. After the petition had been read, lord North exculpated government from various insinuations regarding this annual payment; and then moved a series of resolutions tending to establish the grant of a loan as a matter of necessary policy, but by no means as a claim of right or justice. His proposal was, that £1,400,000 being advanced to the company, their dividends should be restricted to six per cent. till the whole was repaid; and afterwards to seven per cent. until their bond debt was reduced to £1,500,000; and this passed without a division. On a future day, he moved, that it would be beneficial to the public, as well as to the company, if their territorial acquisitions were left in their possession for a time not exceeding six years; no participation of profits between the company and the public taking place before the repayment of the loan, and specified reduction of the bond debt: that after such period, three-fourths of the company's net profits at home, above eight per cent. on its capital stock, be paid into the exchequer; the remaining fourth being set apart either for reducing the bond debt, or for any other exigences. In the course of these discussions,

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the minister contended, that the state had a right to territorial possessions acquired by any of its subjects through conquest: the opposition argued, that such possessions, obtained by a company exercising the purchased rights of their charter, and without any interference of the state, could not be reclaimed by it, any more than advantages gained by any other species of compact for which the grantor had received compensation. The minister however chose to consider the company as a body which had been incorporated for a particular purpose: but which was now placed in a situation totally different from the purport of its charters, protected by them still in commercial privileges, though not in territorial acquisitions: these therefore involved a question of policy, to be settled on the general principles of wisdom and prudence, not of law and judicial courts.

Lord North afterwards moved, that the company should be allowed to export tea, free of duty, to the American colonies; which was deemed a very beneficial regulation; 17,000,000 pounds being then in store: finally, he proposed his grand plan for the regulation of their affairs, as well in India as in Europe: by this six directors were to be elected annually; none holding their seats longer than four years: the stock for the qualification of an elector to be raised from £500 to £1000, and possessed by him twelve months previous to election: in lieu of the mayor's court at Calcutta, restricted henceforth to small mercantile causes, a new tribunal to be established, consisting of a chief justice and three puisne judges, appointed by the crown; a superiority also to be given to Bengal over all the other presidencies.

These resolutions occasioned warm debates and vehement opposition, but were all eventually carried; and a bill framed on them passed through both houses with large majorities: the first appointment made was that of Warren Hastings, chief governor, with general Clavering, the honorable George Monson, Messrs. Richard Barwell and Philip Francis, counsellors for the presidency of Bengal. From this time the affairs

of India have been regarded as in the hands of government.

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While such measures were under discussion, many reflections were cast on the character and conduct of Clive, which his lordship answered in a long and eloquent harangue. Confining himself to the transactions of his last government, he showed the futility of the charges; and in the course of his speech, analysed the state of India, and exposed those enormities which degraded the English name, while they impoverished the company, and oppressed the native population. In conclusion, he detailed the advantages to be derived from the British power in the east; pointing out the dangers that menaced our prosperity, and the means by which they might be avoided. A reply was made by governor Johnstone; but it did not materially diminish the effect of Clive's defence, which was considered as clearly exculpatory: but an accusation was afterwards brought against him, referring to a more distant period, when Sujah Dowla was deposed in 1757.

On the nineteenth of April, general Burgoyne, chairman of the select committee, having enumerated the distresses of India, and the acts from which they were considered to have arisen, declared that he would prosecute the principal delinquent; and therefore moved 'that the right honorable Robert lord Clive, in consequence of the power vested in him, had illegally acquired the sum of £234,000, to the dishonor and detriment of the state:' but after long debates, the last clause, 'to the dishonor and detriment of the state,' was rejected by a large majority. The charge itself was replied to at great length by his lordship, who minutely investigated the reports of the committee, and exposed the invidious manner in which it had pursued its inquiries; limiting them to his conduct, instead of connecting them with the subjects of general utility: he vindicated himself regarding the deposition of Sujah Dowla; and contended that his rapid, well-timed movements had saved India; he also showed that the acceptance of presents was legal, honorable,

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and universally practised: 'If avarice had been my passion,' said he, 'I could have realised a fortune too large for a subject to possess.' He complained bitterly of being thus brought to plead in his own defence like a criminal: his important services ought to have rescued him from such degradation; and he concluded an animated harangue by addressing a request to the house, 'that when they came to decide on his honor, they would not forget their own.' Mr. Thurlow, who conducted the attack, strongly controverted the doctrine, that services performed at one time might be pleaded as a set-off against crimes committed at another. A very powerful defence was made by Mr. Wedderburne, who exposed the narrow and contracted views of the committees, and vindicated the general policy of lord Clive: one of the chief points in his argument was the nature of the evidence, which arose principally from the accused himself, and other leading actors in the scene: it was given by gentlemen who never supposed that their testimony could affect themselves; and if the house made this a ground of prosecution, it would oblige persons to be witnesses to their own detriment; than which nothing could be more inconsistent with justice and the practice of British courts.

When his lordship had quitted the house, a motion was made, 'that lord Clive had abused the power with which he was entrusted, to the evil example of the servants of the public;' but this was stopped by a call for the previous question; and at five in the morning, a resolution proposed by Mr. Hans Stanley was passed unanimously, dividing the question, and merely asserting the fact, that he had received the sum of £234,000; with the added remark, 'that at the same time he had rendered great and meritorious services to his country.' A more straight-forward, manly course, would have been to reject the motion intirely: there was now some obscurity, whether the house by implication meant to censure the fact, or to give it their sanction.

In a subsequent debate, lord Clive recapitulated

the topics contained in his exculpatory speech, in order to rebut some charges made against him through the public press: but though he displayed in the whole of this inquiry great firmness, dignity, and ability, his mind never afterwards recovered its proper tone. He, who had exercised an almost sovereign power, and soared to the very heights of fame, could ill brook the indignity of stooping to the condition of a culprit, obliged to plead in his own defence: he soon fell a victim to the mortification thus produced, and put an end to his life in a fit of delirium.

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As a soldier, the intrepidity and skill of this great man have rarely been equalled: with talents of the highest order, on which he implicitly relied, his decision was invariably a prelude to success: it is said that he only once called a council of war, on the eve of the battle of Plassey; and then that he acted in direct opposition to its advice. No company ever had a more zealous, indefatigable, efficient servant; and if her eastern empire be of any value to Great Britain, she owes it to lord Clive.

While the regulation bill was under consideration with the lords, and the loan bill with the commons, a petition was presented from the company to the latter, requesting permission to decline pecuniary assistance on account of the severe conditions annexed to it: the house, however, at lord North's suggestion, determined that the option of refusing the loan should not be left to the company; whose acceptance of it should be made compulsory.

The city faction being now at a low ebb, and its leaders anxious to excite the public mind, a resolution was adopted by the court of aldermen, and subsequently by the livery, 'that a frequent appeal to the people by short parliaments, was their undoubted right, as well as the only means of obtaining a real representation:' and this was proposed as a test for the city candidates at a future election.

They also prepared a new address, petition, and remonstrance on the old subjects of complaint, the Middlesex election, the imprisonment of the magistrates,

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and the erasure of Mr. Wilkes's case from the records; praying for a dissolution of parliament and the dismissal of ministers. When this was presented to the king, his majesty said, it was so void of foundation, and conceived in such disrespectful terms, that he felt convinced the petitioners themselves did not imagine it could be complied with.

Attempts were also made to revive the popular enthusiasm for Wilkes: on the occasion of a call of the house, the sheriffs summoned him, and omitted the name of Mr. Luttrell: he himself also renewed his claim in a letter to the speaker; and a certificate of his election having been refused to him at the petty-bag office, sergeant Glynn made an unsuccessful motion, that Mr. Wilkes should be permitted to substantiate his complaint on this subject. Sir G. Saville took occasion to renew his motion relative to the rights of election, which was negatived by 201 against 151.

As the spirit of licentiousness subsided at home, colonial turbulence also decreased: commerce was improving, and our manufactures were admitted into the American provinces, especially those of the south, where a spirit of loyalty was most prevalent: the effect of the East India bill could not as yet be ascertained; but it seemed calculated to improve the company's finances and the revenue of the state: our receipts, lately unequal to the annual expenditure, now enabled us to reduce the national debt, though not to so great an extent as had been expected; nevertheless the prospect was encouraging. Events had not occurred to exhibit lord North as a great minister; but there were no grounds to question his capacity for conducting the affairs of the country, especially those relating to finance: in the house, though he did not aspire to the highest degree of eloquence, he was very powerful in conducting a debate, which he knew how to enliven with inexhaustible stories of wit and humour; he was so conciliating, that among all his political adversaries he had not a personal enemy. In the zenith of his fame, after the close of this important

session on the first of July, his lordship repaired to Oxford, where he had been elected chancellor of the university, that he might preside at the *encœnia* held in honor of his installation.

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On the twenty-fifth of January this year, the queen was safely delivered of another son, Augustus Frederic, afterwards duke of Sussex; and on the twenty-third of May was born the princess Sophia of Gloucester; on which occasion Mr. Wilkes, instigated by a desire of annoying their majesties, made a motion for an address in common council; this effort however of wanton insolence failed, because it is not usual for the city to address the king, except for the issue of his immediate heir. Wilkes himself was called to account in September by the court of aldermen for aspersions on the character of the lord mayor; and in November was himself a candidate for the mayoralty, but without success. In June the additional sum of £8750 was voted by parliament to Mr. Harrison, as a farther reward and encouragement for his invention of a time-keeper.

Domestic
events.

In the early part of this year considerable agitation was caused by extraordinary exertions made in the ports of France to fit out ships of war. For some time past the government of that country had been verging rapidly toward decay. Where there is no public press, and consequently no expression of public sentiment, the tone of politics will depend chiefly on the personal character of the court. Louis XV. and his ministers were so absorbed in the vile intrigues of a palace, that they had no time to enter into enlarged views of foreign diplomacy, or sound plans of domestic government; and while the cabinets of St. Petersburg, Vienna, and Berlin were occupied in schemes of uncontrolled ambition, the court of Versailles was debating whether the dauphiness should be compelled to visit the king's mistress. At this period, however, when Russia, not content with the plunder of Poland and the attempted dismemberment of Turkey, threatened also the independence of Sweden, the only ally, except Spain, that was left to France, this latter power exhibited some

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nental poli-
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faint remains of its ancient spirit, in making preparations to send a powerful fleet into the Baltic. D'Aiguillon, emulous of his predecessor's fame, had overcome the king's reluctance, and the opposition of a majority in council; but was unable to elude the vigilance or to baffle the penetration of our cabinet.

After a conversation with lord Stormont, in which he dwelt largely on the ambitious designs of Russia, as well as the ties of honor and interest by which France was bound to assist Sweden, he was informed by our ambassador, that if France sent her ships into the Baltic, they would instantly be followed by a British fleet; that the presence of two fleets would have no more effect than a neutrality; and however his court might desire to preserve the harmony now subsisting between England and France, it was impossible to foresee the contingencies that might arise from accidental collision. These representations produced some effect; and the squadron at Brest was countermanded: still, in hopes of eluding observation, the French minister gave orders for the equipment of an armament at Toulon, under pretence of exercising the sailors in naval tactics. On receiving intelligence of these renewed preparations, the British cabinet made instant and vigorous demonstrations of resistance: lord Stormont was ordered to declare, that every argument used respecting the Baltic applied equally to the Mediterranean: a memorial also was presented to the French minister, accompanied by a demand that it should be laid before the king and council: this produced the desired effect; the armament was countermanded, the sailors disbanded, and the chances of an extended warfare avoided. In fact, a pacific policy was the aim of lord North in order to preserve his power: he was also anxious to maintain a good understanding with Russia, on account of the commercial advantages arising from the connexion: he thus effectually served the cause of his ally, and facilitated the treaty of peace which was concluded next year between Russia and the Porte.

Lord Townshend had been succeeded in his govern-

ment of Ireland by the earl of Harcourt, November 28, 1772: this nobleman was received with great joy by the Irish; and being of an amiable character and easy disposition, he yielded a ready obedience to the will of his employers. The new system having been established by the energy and perseverance of his predecessor, he had few difficulties to encounter: the chief labor was thrown on his secretary; and so little attention did he give to politics, that a year almost elapsed before a parliament was called together: when however that assembly met, the spirit of Irish liberty began to manifest itself; and the speaker of the commons, in a speech to his excellency before the lords, expressed the inability of the country to endure any additional taxation, by reason of those commercial restrictions which fettered all its energies.

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During the government of this viceroy, the claim of commercial freedom was repeated in the official addresses of the speaker; a spirit of political jealousy appeared in the refusal of parliament to admit foreign mercenaries, when the British troops were withdrawn to America, though the English government offered to defray all expenses; and the system of bettering the condition of Roman catholics commenced by a relaxation of the penal code. 'The government of lord Townshend,' says Dr. Miller, 'had terminated the oligarchical administration: that of lord Harcourt unfolded those germs of political energy, which were soon to expand themselves into national prosperity and importance.'²

We must now advert to the affairs of the American provinces, where a storm was rising which eventually severed those vigorous branches from the parent stem. The desire of independence had taken root during the French war; at which period the colonists were taught how great a superiority even their undisciplined valor and activity gave them over enemies unaccustomed to the natural difficulties of an uncultivated country and of inclement seasons: and this desire, which would naturally increase with the increasing

Disputes
with the
American
colonies.

² History philosophically illustrated, vol. iv. p. 466.

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prosperity of the states, was fostered by the constant emigration of discontented foreigners, and by that discussion of moral and political rights, which formed a part of the national education: such was remarkably the case in New England, where the germ of the revolution commenced and was matured; and where characters of great energy and intelligence arose, well fitted to produce a collision, by pushing the opposing principles of liberty and allegiance to their full extent. Among those resolute, unwavering spirits, who particularly distinguished themselves in what appeared to them a patriotic cause, were James Otis, Samuel Adams, and John Hancock; men, whose zeal would have led them to sacrifice property, and life itself, for the maintenance of their principles; and who, in the legislative assembly of their state, resolutely opposed every measure, which they considered as encroaching on popular rights, whether attempted by the local governors or by the British parliament. The most inflexible, and at the same time the most energetic of their opponents, was governor Hutchinson; a man of high attainments, born in the province, and intimately acquainted with its history and constitution; who, in his controversies with the colonial legislature, never lost sight of that theory by which its subordination and dependence on the parent state was maintained. His management of these disputes, conducted with all the coolness, circumspection, and acuteness which distinguished his character, had a material effect in hastening the revolution; for it quickly drove the assembly to the necessity of either renouncing or avowing its principles. The colonists had hitherto acknowledged a general dependence on the mother country, though its nature and extent had never been accurately defined: hence it happened, that principles were frequently taken up and opinions delivered, which struck at the root of all dependence whatsoever; but these were never overlooked by the penetration of Hutchinson; who, disdaining to confine himself to particular cases, was in the habit of tracing the asserted principle through all its consequences,

and carefully distinguishing between a right itself and the injudicious or incautious exercise of it. In Great Britain it was generally maintained, that parliament possessed an uncontrolled power over the colonies; but in America, at different times and in different provinces, sentiments varied on the subject: in New England public opinion was loose and unsettled on this point; and though the legislature had practically acquiesced in acts of the British parliament; yet, to save appearances, they had, as it were, adopted those acts by decrees of their own. In their addresses they had incidentally spoken of parliament as the supreme legislating and superintending power over the whole empire; but had taken care to qualify their expressions by adding, that the exercise of a supreme legislating power was always to be limited and controlled by the constitution; and by insisting on the impracticability of the colonies being represented in the British parliament; in consequence of which they had been allowed to have legislatures of their own, which were to be as free as a due subordination to the supreme legislature of the whole empire would permit; but how much of freedom or of power this would leave them, had long been a point which they cautiously avoided to explore: lately, however, so much controversy on the subject had prevailed in the state of Massachusetts, that men's minds were prepared to discuss the question; and as the supremacy of parliament had been denied in a town-meeting at Boston, the governor took advantage of this circumstance, to address the assembly, in the session of 1772, with a long and elaborate argument in opposition to their sentiments. The answer returned to this official document by the council rested on the old ground of an acknowledged dependence on parliament, within the limits prescribed by the constitution: these they declined to define, but asserted that by them the power of taxation was intirely excluded. The house of representatives boldly met the governor in all his positions; and after an ample discussion of them, put forward the following observations:—

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'Your excellency tells us, you know of no line that can be drawn between the supreme authority of parliament and the total independence of the colonies: if there be no such line, the consequence is, either that the colonies are vassals of the parliament, or that they are totally independent: as it cannot be supposed to have been the intention of the parties in the compact, that we should be reduced to a state of vassalage, the conclusion is, that we were left independent. It is impossible, your excellency says, that there should be two independent legislatures in one and the same state: may we not then farther conclude, that it was their sense, that the colonies were, by their charters, made distinct states from the mother country? You add,—'for although there may be but one head, the king; yet the two legislative bodies will make two governments as distinct as the kingdoms of England and Scotland before the union.'—Very true, may it please your excellency: and if they interfere not with each other, what hinders, but that being united under one head and common sovereign, they may live happily in that connexion, and mutually support and protect each other?'³

This was the most explicit disavowal of dependence on the parliament that had been yet made by any colonial assembly. Governor Hutchinson, who probably did not anticipate so bold a reply, was obliged to forward another message in support of his argument; and this called forth a second answer from the house, defending at great length and corroborating the principles asserted in the first.

On the question of regal supremacy, the assembly was driven by the governor from the position they had taken up. As long as they had discriminated between prerogative and its abuse, referring to this latter cause the removal of the legislature from its ordinary seat, for the purpose of drilling them into submission, they stood on ground easy to be defended: but when they asserted, that, by royal grant in their charter, the governor, as the representative of majesty, had the sole

³ Massachusetts State Papers, p. 36.

power of adjourning, proroguing, and dissolving the assembly, and thence inferred that the king had divested himself of all authority on the subject;—when also they declared that the governor was under no obligation to hold a court at Cambridge, however peremptory his instructions might be, ‘since it was inconvenient and injurious to the province, and prerogative extends not to injurious acts;’—Mr. Hutchinson very justly asked—‘what pretence can there be to distinguish this from any other power; or what exercise of power can there be, pursuant to the charter, by force of an instruction, if this is not? If it be said, that in other instances also of power given to the governor, to be used according to his discretion, the king has parted with his prerogative; the reserve made by the crown, to give instructions to the governor, can in no case whatever have any effect.’—‘If it be intended, that when the governor, by his majesty’s order, convenes the assembly at a time or place which seems to them inconvenient or improper, they have therefore a right to refuse to appear, or proceed to business, or that they have a right to continue to sit after the governor has prorogued or dissolved the assembly, in their judgment unreasonably or unnecessarily, will not this imply a contradiction? Is it not allowing a full power to do a thing, and at the same time admitting a power to defeat it?’⁴

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So again with regard to the salary allowed to the governor and judges; when the assembly contended for the propriety of keeping both the executive and judicial branches of government dependent on themselves by means of annual grants, it could only be said, that they risked the operation of a bad principle in politics, in order to prevent the evil of an increased dependence on the mother country: but having in their argument spoken of a government of checks and balances, and the necessity of one branch being a check on another, Hutchinson took the opportunity of declaring, ‘that the mutual check, which one branch of the legislature ought to have on the other, consists

⁴ State Papers, p. 319.

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in the necessity of a concurrence of all the branches, in order to a valid act; and when one branch withholds this concurrence, it is properly a check on the other two. Now the same check will remain in each branch whether the governor's salary be paid by the crown or by the province.' 'This check,' said he, 'does not affect that freedom and independence in each branch which is the glory of the English constitution; and which will not admit that any one should be compelled by the others to an act against its judgment.' After a full illustration of these ideas, he goes on to say; 'I am sensible that when all other exceptions to this representation of your constitution are taken away, you will ask, what security have we against the oppression of a governor? The answer is obvious: the law and the constitution are your security: if he departs from them, there is a power superior to him, to which he is accountable for his mal-administration. This is all the redress which can subsist with the nature of a subordinate government.'

This was perfectly true; and such arguments could not fail to produce an effect on the ardent and intelligent minds to which they were addressed: the effect however was different from that calculated on. The colonists felt that such a mode of obtaining redress was little better than none at all: experience itself had showed them its futility; for how often had they appealed in a constitutional manner against encroachments on their supposed right! and how often had their appeals been treated with disdain, or made pretexts for new aggressions!⁵ Hence they were led to ask, whether there was not something in the very nature of a subordinate government inconsistent with civil liberty; something in their civil institutions to

⁵ So at least the colonists argued. 'The people of America,' says Franklin, 'are extremely agitated by the repeated efforts of administration to subject them to absolute power. They have been amused with accounts of the pacific disposition of the ministry, and flattered with assurances that on their humble petitions all their grievances would be redressed. They have petitioned from time to time; but their petitions have had no other effect than to make them feel more sensibly their own slavery. Instead of redress, every year has produced some new manœuvre, which could have no tendency but to irritate them more and more.'—*Memoirs*, vol. i. p. 283.

which the feelings of freemen never could be reconciled?

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From this time the controversy increased in violence and bitterness, until it became transferred from the pen to the sword. That it was the policy and fixed determination of the leading party in Massachusetts to bring it to that decision, if no other road to independence lay open, is very evident: however we may rail at their virulence and ingratitude, this was their settled purpose, in the prosecution of which they never lost sight of a certain plan and method. As the time for action was not yet arrived, the spirit of the people was to be kept in a state of perpetual excitement against a government which they were taught to hate, until the other colonies should catch the flame, and all be prepared at once to cast off the yoke. The time for reconciliation was even now past: what hope indeed could have been entertained of any advantage from such a reconciliation as would have satisfied England, flushed with her victories in the late war, and indignant even at the terms of a peace which had bowed her enemies in the dust? And what permanency could have been expected to a nominal obedience, from provinces of such vast extent, separated from the mother country by the Atlantic, and arrived at a pitch of prosperity which entitled them to take their station among the great powers of the world? The first European war in which England should have engaged, would have set them free, and perhaps with consequences very calamitous to the parent state.

The seat of legislature had now for some time been restored to Boston, more to suit the governor's convenience than from any deference to the wishes of the assembly; and the plan had been carried into effect, of rendering the chief magistrate, as well as the judges, independent of the province: besides, the personal animosity which had long subsisted between the republican leaders and the governor was this year brought to a crisis by a singular combination of circumstances.

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During the course of their disputes, certain letters had been written by Mr. Hutchinson, Mr. Andrew Oliver, lieutenant-governor, and some other gentlemen of the province, to an official personage in England,⁶ reflecting strongly on the character of the colonial opposition, and recommending, not only the adoption of coercive measures, but a material change in the system of chartered government. 'There must be an abridgment,' said Mr. Hutchinson, 'of what are called English liberties; for a colony cannot enjoy all the liberty of a parent state:' he also expressed his 'hopes that provision for dissolving commercial combinations, and for inflicting penalties on those who do not renounce them, would be made by parliament.' Mr. Oliver intimated, that the great officers of the crown ought to be made independent of the people; it being a difficult matter to serve two masters: the government, he affirmed, had been too weak to subdue the turbulent spirits of the colony; and he insinuated the expediency of 'taking off' those persons whom he styles the 'original incendiaries:' he also recommended the institution of an order of patricians, and asserted the necessity of an 'alteration of the charters.'

Petition for
the removal
of Hutchin-
son and
Oliver.

These documents had been purloined from the office in which they were deposited, by some person addicted to American interests, and placed in the hands of Dr. Franklin: he, being agent for Massachusetts, transmitted them to a friend in that province; considering it fair, that, as the contents had been made public and circulated in this country, they should also be made known to those whom they so nearly concerned in America: an injunction however was added against their being copied or printed, consistently with a promise he had himself given to that effect. When the letters arrived at Boston, they were shown to many persons; and the knowledge of their contents having reached the legislative assembly, that body obliged Dr. Franklin's correspondent to produce them, engaging that they should not be published. The intelligence however which they conveyed appeared so

⁶ Thomas Whately, esq., M.P. private secretary to Mr. G. Grenville.

important to the assembly for promoting the designs they had in view, that instead of adhering to their engagement, they printed the letters, and circulated them far and wide, to exasperate the colonists against their rulers. Having unanimously resolved that the tendency of these writings was to overthrow the constitution, and introduce arbitrary power into the province, they voted a petition to the king that he would remove Messrs. Hutchinson and Oliver from the government of Massachusetts; since their conduct had a natural and efficacious tendency to interrupt and alienate the affections of his majesty from his loyal province, and to destroy all harmony and good will between Great Britain and her colonies.

This petition being transmitted, together with attested copies of the letters, to Dr. Franklin, was by him delivered to lord Dartmouth; and on its presentation to the king, his majesty signified his pleasure that it should be laid before the privy council.

In the mean time, as Mr. Whately, to whom the letters had originally been addressed, was dead, a sharp correspondence had been carried on in the public papers between his surviving brother and Mr. John Temple; the former of these gentlemen wishing to avoid the charge of giving up the documents, the latter that of purloining them; and the dispute ran so high, that a duel was the consequence, in which Mr. Whately was wounded. Dr. Franklin then felt imperatively called on to acknowledge his own agency in the transaction: accordingly he sent a letter to the Public Advertiser, in which he declared, 'that he alone was the person who obtained and transmitted to Boston the letters in question; that he did not consider them in the light of private letters between friends; that being written by public officers to persons in public stations, on public business, and to promote public measures, they were therefore handed to other public persons, who might be influenced by them to produce those measures; that their tendency was to incense the mother country against her colonies, and by the steps recommended to widen the breach;

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which they had effected. The chief caution expressed with regard to privacy, was to keep their contents from the colonial agents; who, the writers apprehended, might return them, or copies of them, to America: which apprehension was well-founded; for the first agent who laid his hands on them thought it his duty to transmit them to his constituents.'

Previously to the discussion of the petition by the privy council, Mr. Israel Mauduit, who acted as agent to the governor of Massachusetts, applied to their lordships for permission to attend, and to be heard by counsel, before any report should be made: this request was granted; and at a meeting of the council in June, 1774, Dr. Franklin was summoned in his official capacity to support the petition; when he also, after pleading ignorance of the course that had been adopted, prayed for permission to employ counsel; which being conceded, the meeting was adjourned to the twenty-ninth. On that day, Mr. Dunning, afterwards lord Ashburton, with Mr. John Lee, appeared for the state of Massachusetts; and Mr. Wedderburne, afterwards lord Loughborough, for the governor and lieutenant-governor.

The counsel for the assembly being first heard, Mr. Dunning endeavored to substantiate their complaints, by exhibiting the letters now published, and drawing an inference from them, that the writers were unworthy of confidence either from the government or the province: in the course of his argument, he alleged, that Mr. Hutchinson by one declaration alone, had justified all complaints made against him, and he called for the immediate dismissal of an officer so hostile to the rights and liberties of his countrymen. The man who had declared that 'there must be an abridgment of English liberty in the colonies,' was justly charged with 'making wicked and injurious representations, designed to influence the ministry and the nation, and to excite jealousies in the breast of the king against his faithful subjects.'

Mr. Wedderburne, after reviewing the arguments of the opposite counsel, and passing an eulogy on the

loyalty and services of his clients, directed his speech to an inculpation of the assembly and people of Massachusetts; in the course of which he attacked Dr. Franklin, who had become very obnoxious to ministers, in the following strain of bitter invective, on the ground of having violated private confidence in the disclosure of the letters:—‘These,’ said he, ‘could not have come to Dr. Franklin by fair means: the writers did not give them to him, nor yet did the deceased correspondent; who, from our intimacy, would otherwise have told me of it: nothing then will acquit Dr. Franklin of the charge of obtaining them by fraudulent or corrupt means for the most malignant of purposes, unless he stole them from the person who stole them.’⁷ This argument is irrefragable.’—‘I hope, my lords, you will mark and brand the man, for the honor of this country, of Europe, and of mankind. Private correspondence has hitherto been held sacred in times of the greatest party rage, not only in politics but religion.’—‘He has forfeited all the respect of societies and of men. Into what companies will he hereafter go with an unembarrassed face, or the honest intrepidity of virtue? Men will watch him with a jealous eye; they

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⁷ In a memoir of Hugh Williamson, M. D., published at New York in 1820, it is asserted that he was the person who put these letters into the hands of Dr. Franklin; and his biographer gives the following account of the manner in which he became possessed of them, which is not very creditable to the doctor's moral principles. The quotation is taken from the *North American Review*, vol. ii. p. 32. The reviewer, although he suggests some doubts on the fact, is altogether inclined to credit it:—

‘Dr. Williamson had now arrived in London. Feeling a lively interest in the momentous questions then agitated, and suspecting that a clandestine correspondence, hostile to the interest of the colonies, was carried on between Hutchinson and certain leading members of the British cabinet, he determined to ascertain the truth by a bold experiment. He had learned that governor Hutchinson's letters were deposited in an office different from that in which they ought regularly to have been placed; and having understood that there was little exactness in the transaction of business at that office, (it is believed that it was the office of a particular department of the treasury) he immediately repaired to it, and addressed himself to the chief clerk, not finding the principal within. Assuming the demeanor of official importance, he peremptorily stated that he had come for the last letters that had been received from governor Hutchinson and Mr. Oliver, noticing the office in which they ought regularly to have been placed. Without a question being asked, the letters were delivered; the clerk doubtless supposing him to be an authorised person from some other public office. Dr. Williamson immediately carried them to Dr. Franklin, and the next day left London for Holland. I received this important fact from a gentleman of high respectability, now living; with whom, as the companion and friend of his early days, Dr. Williamson had entrusted the secret.’

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will hide their papers from him, and lock up their escrutoires: he will henceforth esteem it a libel to be called a man of letters; *homo trium literarum*!—‘He not only took away the letters from one brother, but kept himself concealed till he nearly occasioned the murder of the other. It is impossible to read his account, expressive of the coolest and most deliberate malice, without horror.’ [Here he read the letter of Dr. Franklin in the Public Advertiser.] Amid these tragical events, of one person nearly murdered, of another answerable for the issue, of a worthy governor hurt in his dearest interests, and the fate of America in suspense;—here is a man, who, with the utmost insensibility of remorse, stands up, and avows himself the author of all. I can compare it only to Zanga, in Dr. Young’s Revenge:—

Know then ’twas I;
I forged the letter; I disposed the picture;
I hated, I despised, and I destroy.

I ask, my lords, whether the revengeful temper attributed by poetic fiction only to the bloody African, is not surpassed by the coolness and apathy of the wily American?’

From the foregoing passages some idea may be formed of this celebrated philippic, which, it is said, afforded great amusement to the council, many members of which laughed outright, not excepting lord Gower himself, the president. ‘No person,’ says Dr. Priestly, who was present at the examination, ‘behaved with decent gravity, except lord North.’ Franklin himself is said to have heard all with great composure, standing erect, and not suffering the slightest alteration of his countenance to be visible: he appeared in a full dress suit of spotted Manchester velvet; and how deeply he felt the invectives thus hurled against him, may be inferred from the circumstance of his religiously keeping that suit of clothes; once more only to put them on—when he signed the treaty of alliance between France and America at Versailles.

His immediate dismissal from the office of deputy post-master general for the colonies, was scarcely necessary to perpetuate that feeling of resentment against the British government, which he thus expresses in a letter to his son:⁸—‘ From the time of this affront given to me at the council-board, I never attended the levee of any minister: I made no justification of myself from the charges brought against me: I made no return of the injury by abusing my adversaries; but held a cool sullen silence, reserving myself to some future opportunity.’ That opportunity was not far distant. In the mean time, the result of the council’s deliberation was a report, stating ‘that the petition was founded on resolutions, which were formed on false and erroneous allegations; that it was groundless, vexatious, scandalous, and calculated only for the seditious purpose of keeping up a spirit of clamor and discontent in the province: that nothing had appeared to impeach in any degree the honor, integrity, and conduct of the governor or lieutenant-governor; and their lordships were humbly of opinion that the said petition ought to be dismissed;’ which recommendation was acted on by his majesty.

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While the spirit of opposition was so high in New England, intelligence was received there of the act which permitted the East India company to export tea free of duty to all parts of the world, except America, where it was subjected to an impost of three pence per pound. Soon the press began to teem with invectives against this attempt to establish a precedent for taxation, representing it as only a prelude to future impositions, and predicting a window-tax, or even a poll-tax, as its probable consequence: the strongest measures were taken, in most provinces, to compel the consignees of tea to renounce their agencies; and in Boston, where these functionaries refused to submit to popular dictation, the mob surrounded their houses, broke the doors and windows, tarred and feathered some of the most obnoxious among them, and forced the rest to take refuge in Castle-William: the gover-

Opposition
to govern-
ment in the
American
colonies.

⁸ Memoirs of B. Franklin, vol. i. p. 431.

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nor's proclamation for suppressing these tumults was derided, and the sheriff insulted while he attempted to read it.

In the mean time, the Dartmouth East-Indiaman, laden with tea, arrived at Boston, and cast anchor below the fort: immediately the people called together a general body-meeting, which was attended by vast multitudes, before whom the owner of the vessel was summoned: he was then required to bring his ship to the wharf; though his compliance, as they well knew, would compel him to enter his cargo at the custom-house, which allowed him twenty days to land it and to pay the duty. They then passed a resolution that the tea should not be landed nor the duty paid, and that it should return to England in the same bottom: but as the ship was now entered at the custom-house, it could not be cleared out unless the duties were paid; nor would the governor rescue the captain from his dilemma, by permitting him to pass Castle-William without a certificate from the custom-house officers; though he might have recollected that his predecessor had granted permits for sailing to many ships unqualified for want of stamps, and that the prudence and propriety of his conduct on that occasion had never been called in question. Mr. Hutchinson seems to have entertained an opinion that the British government at this time was not unwilling to bring matters to a crisis by direct collision; for in a subsequent declaration he somewhat unwarily assigned, as one of his reasons for this refusal, 'that by compliance with the demand of the people he should have rendered himself obnoxious to his sovereign.'

The meeting, fearing lest the tea might be clandestinely put on shore, set a guard to watch the vessel; having rejected with disdain an offer made by the consignees, to land the cargo, and store it under the care of a committee of townsmen, until orders could be received from England. In the mean time two other ships freighted by the East India company arrived; and the guard was unexpectedly withdrawn, or its renewal overlooked; when a large party of

armed men, disguised as Mohawk Indians, taking advantage of this opportunity, boarded the vessels, split open the tea-chests, and having emptied their contents into the sea, returned, without being discovered, into the city. In all the other American ports, measures were taken to prevent the cargoes of tea-ships from being landed, except at Charlestown in South Carolina, where a large quantity of tea was stored in a damp cellar, and kept there until it was completely spoiled. At Annapolis, a brig having arrived when the court was sitting, and a multitude collected together from the neighboring districts, the people were so irritated, that personal violence to the captain and consignees, as well as destruction to the cargo, was apprehended. In this emergency, the owner applied to Mr. Carroll of Carroll-town, a gentleman of great weight and authority in the province, for advice and assistance; by whom he was exhorted to burn the vessel with its cargo to the water's edge, as the most effective means of allaying excitement: this counsel was followed; the sails were set, the colors displayed, and the brig burnt amid the acclamations of the populace.*

But no where was the spirit of opposition so systematic and determined as at Boston: there the people went so far as to burn the governor and lieutenant-governor in effigy; while the assembly, as if animated by the popular proceedings, renewed their personal contests with Mr. Hutchinson: they began by voting articles of impeachment against the chief justice, Peter Oliver, for a design of introducing a partial, arbitrary, and corrupt administration of the laws; in consequence of his having declined to receive the annual grant from the assembly, and accepted a stipend from his Britannic majesty.

In a letter addressed to the house, the chief justice entered into a vindication of his conduct; but was unable to appease the assembly's indignation, which passed a vote of impeachment by a very large majority. The message conveying this resolution was indignantly

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* Life of C. Carroll, in the American Portrait Gallery, No. 1.

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Military
punish-
ments.

rejected by the governor, who disclaimed all power of determining on cases like the present; and as the house persevered in attempting to force it on him under a different form, he dissolved the assembly, and dismissed its members with a speech, containing, among other terms of severe reprehension, the following rebuke and menace:—‘As some of your votes, resolves, and other proceedings, which you have suffered to be made public, strike directly at the honor and authority of the king and parliament, I may not neglect bearing public testimony against them, and making use of the power vested in me by the constitution, to prevent your farther proceeding in the same way.’

Among the domestic occurrences of this year, it is recorded that a sergeant of the guards was sentenced to be shot for the crime of enlisting men for foreign service: he was however reprieved, and ordered to receive 900 lashes! When the tremendous severity of military punishment is taken into consideration, we are astonished that such a sentence could have passed under the plea of mercy, in a christian country, and with the sanction of a christian monarch. Yet, strange to say! this system of military torture long went on, increasing in severity, degrading the army and disgracing the nation, but applauded by the most eminent of our statesmen and commanders, until a list of horrors might have been compiled from the sentences of courts martial, that would have startled an Indian savage or disgraced the code of a Turkish pacha. It is not meant to be denied, that a summary mode of punishment must at times be resorted to for the maintenance of discipline in the army; but no necessity ever could have existed for carrying it to such an extent, and to such an extraordinary degree of barbarity as was practised in this country, either for the sake of individual correction or of general example: this indeed seems acknowledged by the more liberal and christian spirit of the present age; and however the exertions of sir Francis Burdett may have been disparaged by some, who could see nothing but revolution in the reform of the most flagrant abuses,

posterity will duly appreciate his services; while the laurels which he won in this contest of mercy will continue to flourish, when those of many a hero and politician shall have faded and decayed.

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On the twentieth of September, the Sea-horse, and Carcass, under the command of the honorable captain Phipps, returned from an expedition to the North seas, without having made any discoveries worthy of notice.

Parliament met on the thirteenth of January; but so little was yet known of colonial disturbances, that foreign affairs were represented in the king's speech as affording full leisure for attention to the improvement of our domestic concerns, and to the prosecution of measures immediately connected with revenue and commerce: the deteriorated state of the gold coin was mentioned as an object requiring particular consideration. The address in both houses was carried without a division or debate; but in a discussion respecting the supplies, complaints were made by the opposition of a great increase of expense in the naval and ordnance departments, as well as of a general want of economy in the expenditure of our public revenue; nor could ministers answer these charges without a considerable degree of embarrassment.

Opening of
parliament.

In the early part of the session general attention was excited by some proceedings of the commons, occasioned by a libel on their speaker, in the Public Advertiser, accusing him of gross injustice and partiality. Sir Fletcher Norton having made his complaint, and obtained the testimony of alderman Sawbridge, who knew the circumstances of the case, in favor of his conduct, declared himself satisfied: but the house thought proper to vindicate its own dignity; and having unanimously voted the paper a libel, issued an order for the printer to attend at its bar. Mr. Woodfall obeyed without hesitation; and being interrogated as to the author, gave the name of the Rev. John Horne, and was then ordered into the custody of the sergeant at arms. Mr. Horne being next brought before the house, contrived to extricate himself from the charge

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with much ingenuity: having inquired whether Mr. Woodfall's declaration was to be taken as evidence, or as the charge against him, he was told, after some hesitation, that it constituted the charge: he then pleaded not guilty, as in an ordinary court: the house was embarrassed; the printer was again called in, and confronted with Mr. Horne; but as he was implicated in the guilt of the publication, his testimony was insufficient to warrant conviction: three of Mr. Woodfall's journeymen also were brought to the bar of the house; but they failed in proving the accusation, and Mr. Horne was discharged.

On the twenty-fifth of February, sir Edward Stanley, anticipating a dissolution of parliament, moved for leave to bring in a bill to render perpetual the law introduced by the late Mr. Grenville, for trying the merits of controverted elections. The motion produced an animated debate, and finally passed; putting an end for ever to that system which had disgraced the house, and which was thus described by lord George Germaine in his speech on this occasion:—'The parties used to apply to one set in the house to be their managers; to another set to give their attendance and interest; to a third set, with whom they were intimate, they would apply for their votes; and to the lazy part of the house they would say, We won't trouble you to attend the dry examination of witnesses; only let us know where you will be; and when the question is going to be put, we'll send you a card.' Thus, as Dr. Johnson justly observed,¹⁰ 'the nation was insulted with a mock election, and the parliament was filled with spurious representatives; one of the most important claims, that of a right to sit in the supreme council of the kingdom, was debated in jest; and no man could be confident of success from the justice of his cause.' A disputed election is now tried with the same scrupulousness and solemnity as any other title.

¹⁰ In his Patriot.

CHAPTER XV.

GEORGE III. (CONTINUED.)—1774.

Report of American disorders arrives in England—Proceedings in parliament on the subject—Boston port bill—Debates on it, &c.—Is carried, and receives the royal assent—Bill for better regulating the government of Massachusetts-bay—Discussion on the policy of repealing the tea duty—Mr. Burke's speech—Massachusetts-bay bill read a second and third time, and passed—Bill for the impartial administration of justice in the province of Massachusetts—Debates on it—Is passed—Lord Chatham reappears in the house of lords—His speech on a bill for quartering troops in America—Advises conciliatory measures—Reflections on the subject, and the approaching contest—Bill for settling the administration of Canada—Debates thereon—Is passed—Law respecting copyright of books—Foreign events—Birth of prince Adolphus Frederic—End of the session of parliament—King's speech—Proceedings in Massachusetts—General Gage appointed governor—Assembly meets—General Gage announces the necessity of removing it to Salem—Turbulent proceedings of the Assembly—Appointment of a committee—Assembly dissolved—Spirited conduct of the people of Salem, &c.—Proceedings of other colonies—Solemn league and covenant at Boston—General Gage fortifies Boston-neck—The new council appointed—Most of its members resign—Colonists begin to make military preparations—General Gage seizes on the stores, &c.—Meeting of delegates from the towns of Suffolk county—Acts and proclamations of the same—Remonstrance to the governor, and his answer—He dissolves the new assembly—Opposition to this resolution—Provincial congress appointed—Remonstrance to the governor—His reply—Proceedings of the congress—Assembling of the great national congress at Philadelphia—Declarations, resolutions, and addresses—Congress breaks up, after appointing another meeting in the ensuing year—Effects of its decrees—Dissolution of parliament—New one assembles—Debates on the address, &c.—Reports from America during the recess—Determination of government—Business after the recess—His majesty refuses to receive the petition of congress; so also does the parliament—Lord Chatham's speech proposing an address to the king—His provisional act, and debates thereon: thrown out—

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Lord North's coercion bill—Debates on it—Augmentation of forces—Bill for restraining the commerce of New England—Debates, &c.—Lord North's conciliatory motion and debates, &c.—Mr. Burke's plan of reconciliation—His speech on it—Plan rejected—He publishes it—Dr. Johnson's publication on the subject—Mr. Hartley's motion—Remonstrance of the city to the king, &c.—Attempts to repeal the Canadian act—Other parliamentary business—The king prorogues parliament—Dr. Franklin leaves England—Considerations with regard to European states.

Rigorous
proceed-
ings against
America.

At length intelligence of the late alarming transactions in America arrived in England; and lord North, having previously delivered to the house a message from the king, in which a design was intimated of correcting and preventing such disorders, submitted to its inspection numerous documents from persons in authority on the other side of the Atlantic. After an address had been carried, strongly expressing a readiness in the house to comply with the purport of the royal message, the minister moved, on the fourteenth of March, for leave to bring in a bill 'for the immediate removal of all officers concerned in the collection and management of his majesty's duties and customs, from the town of Boston; and to discontinue the landing and discharging, lading and shipping, of goods, wares, and merchandise at the said town of Boston, or within the harbor thereof.' His lordship entered into a justification of the Governor's conduct, as dictated by discretion and good policy, for the security of the East India company's property, the safety of consignees, and preservation of tranquillity in the town. The military forces and ships of war might have been called in to save the tea from destruction; but as many leading men of Boston had always deprecated such interference, ascribing to it present disturbances and future heart-burnings, he had prudently declined so irritating a measure, and hoped, by this confidence in their conduct, and trust reposed in the civil power, that he should have calmed their apprehensions and preserved the public peace. His lordship went on to justify the proposed scheme, by observing, that merchandise could no longer be

safe in the harbor of Boston; and it was necessary that some other port should be found for our commercial transactions: it was no new thing, he alleged, for a whole town to be amerced where its authorities had been inactive; instancing the city of London, which was fined, because Dr. Lamb was killed by some unknown persons in the time of Charles I.; Edinburgh, which suffered a punishment in the affair of captain Porteous; and Glasgow, where, when the house of Mr. Campbell was pulled down, part of the town-revenue was sequestered to repair the damage. Boston, he observed, was much more criminal than these places; as it had been for upwards of seven years the focus of tumult, and originator of all colonial disturbances. He then entered into a detail of outrages lately committed there; and observed, that a clause in the bill would prevent the crown from re-establishing the commerce of this port, until complete satisfaction was made to the East India company for the loss of their tea. He trusted that the town of Boston would either discover the offenders and sue them for reparation, or that the assembly would pass an act to levy the money in the most equitable manner: whilst he deeply regretted the necessity of punishment, he hoped for that unanimity which would give strength to the measure: the authority of this country had been openly denied by our colonists; we must now punish, control, or submit to them.

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Boston
port bill.

The motion was slightly opposed by Mr. Dowdeswell, who asked for evidence of general concurrence in the inhabitants of Boston, and argued against the analogy of lord North's examples; but it was carried without a division: the bill was twice read, and then committed.

In committee, Mr. Bull, the lord mayor, presented a petition from some Americans resident in London, stating it to be an inviolable law of natural justice that no cause should be condemned unheard, or without evidence; and asking by what rule the capital of Massachusetts could be punished for a civil injury committed by persons not known to belong to

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it? These petitioners also drew a distinction between the instances in arbitrary times, quoted to sanction the proposed measure; and the case of Boston, which had no executive power in its own hands. They ascribed much blame to the governor, who had taken no measures to prevent these disturbances; and declared that a proceeding of such severity and injustice would sink deep into the hearts of Americans, and alienate them from those for whom they had hitherto preserved the strongest feelings of filial attachment.

The reply to this petition was, that the case called for immediate redress: it would ill become the dignity of parliament to let the execution of justice be evaded by any subterfuge; and members asked, if the house doubted either the reality of the offence, or its own competency to take cognisance of it? Lord North would not undertake to say what would be the consequence of the proposed measure; but that it would be salutary and effectual was his firm opinion.

The opposition to this bill was reserved for its third reading; when governor Johnstone predicted, that its effect would be to raise a general confederacy against Great Britain: the question of taxing America for the purpose of revenue, he said, might palliate resistance, if the subject had never been disputed in this country: but after the highest characters of the state had declared against our right; after the general voice of the senate had repealed the stamp-act on that very principle; there was so much to mitigate the conduct of the Americans, even supposing them in error, that it would be the height of cruelty to enforce contrary maxims with any degree of severity; at least before due warning had been given. 'It is in vain,' said he, 'to assert that Boston is more culpable than the other provinces; but in extending the punishment to them, every one must see the danger: yet, if it can be approved for one, it ought to be extended to all: if a similar measure were applied to the colony of Virginia, the revenue would be reduced by £300,000 a-year, beside the loss of all foreign contracts, and perhaps of its beneficial trade for ever. Those gentlemen,' he

continued, 'who are in the secrets of the cabinet, and know how assuredly all its propositions are adopted by this house, may be warranted in their sanguine acclamations in favor of this measure; but the general mass, who must be equally ignorant with myself of what is to follow, can have no excuse for so readily assenting to punish their fellow subjects in this unprecedented manner: their eager zeal only serves to show, how disposed they are to obey the will of another, without exercising their own judgment. My opinion is, that if coercive measures are to be adopted, an effectual force should be immediately carried into the heart of the resisting colony, to crush rebellion in the bud, before a general confederacy can be formed: but I am convinced that good government can be maintained there on rational grounds, as in this country.'¹

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Mr. Fox now appeared for the first time in a minority, opposed to ministers: during the course of this session, he had shewn himself adverse to the sentiments of lord North; and about the period when this bill began to be agitated, he was dismissed from his seat at the treasury. He particularly objected to invest the crown with an absolute power of restoring the port of Boston to its former rights: such a regulation could only be made for the purpose of establishing a precedent, since none existed, for placing whole towns and communities at the arbitrary discretion of the crown. He was answered by Mr. Phipps, who insisted on the propriety of continuing to the throne that attribute of mercy which had always been attached to it: neither could the restoration of the port be so

¹ That this opinion, however erroneous it may have been, was entertained by Washington is evident from many parts of his correspondence: that it was also the opinion of many other upright men among the colonists, appears from one of his letters to his friend captain Makenzie, stationed at this period in Boston; wherein he says, 'I think I can announce it as a fact, that it is not the wish or interest of that government (Massachusetts) or any other on this continent, separately or collectively, to set up for independence; but this you may at the same time rely on, that none of them will ever submit to the loss of those valuable rights and privileges, which are essential to the happiness of every free state; and without which life, liberty, and property are rendered totally insecure.' However this might have been, haughty conduct and injurious acts on the one side, excited resistance, and created exasperation on the other, until blood was shed, and reconciliation became impracticable.

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well vested in the legislature; for parliament might happen not to be sitting when the exercise of lenity was required. The debate soon began to assume a different complexion through the intemperate language of Mr. Van, who was for battering the town of Boston about the ears of its inhabitants, and destroying what he called a 'nest of locusts,' in order to ensure obedience to the laws.

This extreme spirit of vindictiveness called up colonel Barré, who strongly deprecated such language: he expressed his approbation of the measure, though he feared it was intended to involve the fatal doctrine of taxation. When the speaker put the question for passing the bill, Mr. Fox revived his objections, and Mr. Dowdeswell opposed the whole principle, considering it more likely to hurt the merchants of England than the delinquents in America. Mr. Burke derided the idea of a local remedy for a general disorder:—'Have you considered,' said he, 'whether you have troops and ships sufficient to enforce a proscription to the trade of all America? If you have not, the attempt is childish, and the operation will be fruitless.' He blamed governor Hutchinson for not using military force in quelling disturbances; but said, the fault of the governor ought not to be visited on the innocent people. Universal discontent prevailed throughout the colonies, owing to their bad internal government: he wished to see a new plan of legislation established there, not on the laws and statutes of England, but on the vital principles of British liberty. Mr. Burke was answered by Mr. Grey Cooper, who expressed surprise and sorrow at hearing him upbraid government for not using military force: he defended the bill by its analogy to the black act, where the whole hundred is fined for the misconduct of individuals: it was intended for the protection of trade; it was a mild enactment; and if opposed in America, the result would effect the punishment. Lord North finally vindicated his measures with much ability, as founded on justice, and most eligible under existing circumstances: a time of peace

was the only period for regulating the affairs of our colonies; and now was the crisis, when this dispute ought to be decided. The bill passed in the commons without a division: in the upper house it was opposed by the dukes of Richmond and Manchester, the marquis of Rockingham, lords Camden, Stair, and Shelburne; the latter of whom presented a petition similar to that which had been read in the commons: it was actively supported by lords Mansfield, Gower, Lyttleton, Weymouth, and Suffolk; and having passed the lords on the thirtieth, it next day received the royal assent.

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During the discussion of this act by the lords, the minister in the other house proceeded to disclose his plan for subduing the refractory spirit of the colonists; and moved for leave to bring in a bill, 'for better regulating the government of Massachusetts-bay.' The papers, he said, would show indisputably the want of an executive power in that colony, and the necessity of strengthening the hands of the magistracy: the force of the civil power consisted in the *posse comitatus*; but by this were the tumults excited; and if the democratic part of the constitution exhibits a contempt for the laws, how is the governor to execute any act of authority, when he has not the power either of appointing magistrates or of removing them? That power is vested in the council, which itself is dependent on the people: his lordship therefore proposed by this bill to take the executive power out of the people's hands, and place it in those of the governor; to give him authority for acting as a justice of the peace, and for appointing civil officers, such as sheriffs, provosts, and marshals, (except the chief justice and judges of the supreme court) removable only by the king; to declare town meetings illegal, unless held by his special consent, or for the annual election of certain officers still left to the people's choice: also to put juries on a different footing;² which suggestion, he said, was due to the enlarged and statesman-like views of lord George

Bill for regulating the government of Massachusetts.

² Grand juries were chosen for life, with a yearly salary: petty juries were elected annually from each town; so that offenders against government were able to ensure immunity, at the expense of law and justice.

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Germaine: acknowledging this however to be a regulation of peculiar delicacy, he professed himself ready to make it the subject of a separate law, if such should be the pleasure of the house.

With a view to qualify the severity of this measure, certain members who had assented to the Boston port bill, particularly Messrs. Fuller and Phipps, earnestly recommended that it should be accompanied by terms of conciliation and redress, as the best means of rendering it efficacious. Parliament, they said, ought not, whilst it resented the outrages of an American populace, to irritate and offend the well-disposed portion of our colonists: if such received satisfaction in the matter of taxation, they would soon become instrumental in restraining the turbulent. A discussion on the policy of repealing the tea duty ensued, in which it was argued, that such a sacrifice to peace would be made at very little expense; since the produce of the tax was too inconsiderable to be of any importance to Great Britain: lord North however denied that the tea duty produced so inconsiderable a revenue; and at the same time strongly contended that no acts of lenity ought to attend restrictive measures. To grant repeal at this time, would show such wavering inconsistent policy, as would defeat the good effects of that vigorous system which was at length, after so much remissness, happily adopted: besides, if the tax on tea were repealed, other demands would be made; and these again, if granted, would be followed by more till the whole of America was surrendered: if the house persisted in the wholesome severity which it had begun to exercise, there was no doubt but that obedience would be the result. When a division took place on the question, whether a committee should be appointed to take into consideration the repeal of the duties, it was dismissed by a large majority.

Some reflections, in this debate, on the repeal of the stamp-act called forth a splendid specimen of eloquence from Mr. Burke, who contended that from the period of that repeal the practical right of taxing America

ought to have been banished from the minds of all statesmen; and he severely exposed the absurdity of continuing a tax merely for the sake of a preamble to an act of parliament, when five-sixths of the revenue intended to be raised had been abandoned. After a concise but animated detail of our ministerial and political transactions with America, he recommended the repeal of this impost as a measure of policy; and advised the house, if they afterwards apprehended any ill effects from the concession, to stop short, decline all reasoning, and oppose the ancient policy and practice of the empire to innovations on both sides; which would enable them to stand on great, manly, and sure ground. He deprecated all reasonings about distinctions of rights. 'Leave the Americans,' said he, 'as they anciently stood; and these distinctions, born of our unhappy contest, will die with it: be content to bind America by laws of trade: you have always done so; and let this be your reason for continuing to do it: do not burthen them with taxes; for you were not used to do so from the beginning: these are arguments for states and kingdoms; leave the rest to the schools, where alone they can be discussed with safety.' If this advice should be rejected, he predicted resistance on the part of the colonies: if the sovereignty of England and the freedom of America could not be reconciled, the Americans would cast off sovereignty; for no man would be argued into slavery. The orator felt some difficulty and embarrassment in reconciling his present opinions with the declaratory act; but attempted it by the nice distinction of a double power in parliament:—'The parliament of Great Britain,' said he, 'sits at the head of her extensive empire in two capacities; one, as the local legislature of this island, with the executive power as her instrument of action; the other and nobler capacity is what I call her imperial character, by which she guides and controls all inferior and provincial legislatures.' In this, he asserted, her power was boundless; and having entered at large into its utility, and the manner in which it had been exerted, he concluded with recom-

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mending a lenient, not a rancorous policy, as the rule of conduct:—‘It is agreed that a revenue is not to be had from America: if then we lose the profit, let us at least get rid of the odium.’ This speech, which was afterwards published, was greatly admired, for the splendor of its diction, the wisdom of many political principles which it unfolded, and the resolution, mixed with moderation, which it recommended: but the time when it could have been of service had gone by; and if Mr. Burke’s mind had not been fettered by the trammels of party, he would have seen, like lord North, that it was a question of authority on one side, and of subjection on the other; and that the imposition of a tax at this time was necessary to decide that question.

The house now proceeded to the second reading of the bill for regulating the government of Massachusetts-bay; in support of which Mr. Welbore Ellis asserted, that it was the duty of the legislature to take away or alter charters, if they were abused or found deficient; and in these views he was supported by Mr. Charles Jenkinson and Mr. Jeremiah Dyson; who contended that in this case the house proceeded, not in its judicial, but in its legislative capacity, regulating and supplying deficiencies in charters granted by the crown.

General Conway and sir Edward Astley took a different view of this measure, which they deemed unnecessarily harsh, and likely to produce permanent evils: Mr. Dowdeswell also pleaded strongly and ably, that the province should be heard, before an act was passed, which would deprive its people of their chartered rights. Governor Pownal, declaring that he now spoke for the last time on this subject, uttered the following prediction, from his knowledge of the country and disposition of its inhabitants:—‘The measure,’ said he, ‘which you are pursuing will be resisted, not by force, or the effect of arms, but by a regular united system. I told this house, four years ago, that the people of America would resist the tax permitted to remain on them—that they would not then oppose power to power, but would become implacable. Have

they not been so from that time to this very hour? I tell you again, that they will resist the measures now pursued in a more vigorous way. Committees of correspondence in the different provinces are in constant communication: they do not trust to the conveyance of the post-office; they have set up a constitutional courier, which will quickly grow up to the superseding of your post-office. As soon as intelligence of these affairs reaches them, they will judge it necessary to communicate with each other: it will be found inconvenient and ineffectual to do so by letters: they must confer; they will hold a conference; and to what these committees, thus meeting in congress, will grow up, I will not say. Should recourse be had to arms, you will hear of other officers than those appointed by your governor: then, as in the late civil wars of this country, it will be of little consequence to dispute who were the aggressors; that will merely be matter of opinion.'

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On the third reading of this bill the debate was no less strenuously maintained; during which, Mr. Thomas Townshend, though in opposition, gave his support to the minister, declaring himself incapable of allowing party prejudices to stifle his private opinion: though averse to meddle with charters, he thought the evils of town-meetings justified interference; and that the institution of juries was properly altered according to the forms of the mother-country. Colonel Barré reprobated the violence of both houses: in the lords, the phrase was, 'We have passed the Rubicon;' in the commons, '*Delenda est Carthago.*' He descanted on the flourishing state of the French finances, and predicted the interference of France in our contest with the colonies. Mr. Fox denied our right of taxing America, which Thurlow, the attorney-general, defended; declaring that it was never surrendered, but that it remained while the sovereignty remained in this country: the charter of Massachusetts was a matter of mere legislative power, and contained no authority to control the right of taxation by the mother country. Mr. Burke deprecated measures of severity, and

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thought that, although the Americans could not resist the power of Great Britain, a great black book and a great many red coats would create disturbances which could never be quieted.

Lord North, deprecating all reference to natural rights, denied that the bill destroyed any civil rights: no military government was established, but the civil government only was altered. After a few remarks from sir George Saville, the bill was carried by 239 to 64: it was strongly opposed by the lords; but passed, at the third reading, by ninety-two to twenty; though an able protest was signed by eleven peers, which embodied all the arguments of the minority; censuring the precipitation and tyranny of the measure, and the preparation made by it for an injudicious system of colonial taxation. 'To render them permanently advantageous,' it was said, 'we must render them satisfied with their condition; and that satisfaction can only be restored by a recurrence to the wise and salutary principles on which the stamp-act was repealed.'

Bill for
the better
administra-
tion of jus-
tice in Mas-
sachusetts.

During the preceding discussions, lord North introduced another bill, 'for impartial administration of justice in the cases of persons questioned for acts done while executing the law, or quelling riots in the province of Massachusetts:' by it, the governor, if he found that a person indicted for murder, or any other capital offence, incurred in suppressing such tumults, was not likely to obtain an impartial trial, might send him to another colony, or to Great Britain. This bill, the minister alleged, was necessary for giving effect to the others; since it was futile to appoint a magistracy that would act, if none could be found hardy enough to put their orders into execution: these orders would no doubt be resisted; such resistance would demand force; and blood would probably be spilt: but who would risk that event, though in execution of his duty, if the rioters themselves, or their abettors, were to sit as judges on him? 'How,' said his lordship, 'can any man defend himself, on the plea of executing your laws, before those very persons

who deny your right of making any laws to bind them?' After proceeding to justify himself by precedents, he rightly observed, that the bill was not meant to screen guilt, but to protect innocence: the Americans must be taught that we would no longer submit to their insults; and that, being roused, our measures, though free from cruelty and revenge, would be as effective as necessary. This act, he said, would complete his legislative plan: the rest depended on the vigilance and vigor shown by our executive government; and this he promised should not be wanting: the four regiments, usually stationed in different parts of North America, had all been ordered to Boston; prosecutions had been issued against the ringleaders of sedition; and he made no doubt, that by the plans now adopted, obedience and the blessings of peace would be soon restored.

This measure was opposed with no less vehemence than those which preceded it. Colonel Barré declared, he rose very unwillingly to oppose the bill in its infancy, and claimed that attention which the house seemed to bestow with reluctance on all arguments in behalf of America. While their proceedings, severe as they were, had the least color of justice, he had not opposed them; and though the act for shutting up the port of Boston contained many things cruel and unjust; yet, as it was founded on principles of justice, retribution for injury, and compensation for loss, he had desisted from opposing it: that bill was a bad way of doing what was right, but still it was doing what was right. As to the bill now before the house, he pronounced it to be unprecedented in any former proceedings of parliament; and unwarranted by any delay, denial, or perversion of justice in America: it was so big with oppression to that country and danger to this, that the first blush of it was sufficient to rouse him to opposition: it stigmatised a whole people, as persecutors of innocence, and as men incapable of doing justice, without a single fact being produced to warrant the imputation: on the contrary, every thing which had happened was a direct confutation of such

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charges. The case of captain Preston was recent: this officer and some soldiers had been capitally indicted at Boston for killing several persons in a riot: they were fairly tried and acquitted; and it was an American, a New England, a Boston jury, which acquitted them. Captain Preston, under his own hand, publicly declared, that the inhabitants of that very town, where their fellow-citizens had been slain, acquitted him. This then is the case which the act supposes: and is this the return made to them? Is this the encouragement given them to persevere in so laudable a spirit of justice and moderation? He denied that the trials for smuggling and treason, in the last rebellion, were at all applicable to the present case; because the inconveniences of prosecution or defence were comparatively insignificant, on account of the little distance to which those trials were removed: he took notice of lord North's expression,—‘we must show the Americans, that we no longer sit quiet under their insults,’ and called it mere declamation, unbecoming the character of him who uttered it. He asked,—‘In what moment have you been quiet? Has not your government for many years passed a series of offensive measures, without policy, principles, or moderation? Have not your troops and ships made a vain and insulting parade in their streets and harbors? It seems to have been your study to irritate and inflame them: you have stimulated their discontents into disaffection, and you are now goading their disaffection into rebellion. Can you expect to be well informed, when you listen only to partisans? Can you expect to do justice, when you will not hear the accused?’ After having endeavored to show that the bill was without precedent to support, or facts to warrant it, he proceeded to represent the consequences which it was likely to produce:—‘A soldier feels himself so much above the rest of mankind, that the strict hand of the civil power is necessary to check and restrain the haughtiness of disposition which such superiority inspires. What constant care is taken in this country to remind the military that they are

under the restraint of the civil power! In America their superiority is felt still more: remove the check of the law, as this bill proposes, and what insolence, what outrage, may you not expect? Every passion that is pernicious to society will be let loose on a people unaccustomed to licentiousness and intemperance: the colonists, who have been long complaining of oppression, will see in the soldiery those who are to enforce it; while the military, strongly prepossessed against the people as rebellious, unawed by the civil power, and actuated by that arbitrary spirit which prevails in the best troops,—will commit violences that might rouse the tamest people to resistance, and which the vigilance of their officers cannot effectually restrain: the inevitable consequence will be open rebellion, which you profess by this act to obviate. I have been bred a soldier,' he continued;—'have served long; I respect the profession, and live in the strictest habits of friendship with many officers: but there is not a country gentleman of you all, who looks on the army with a more jealous eye, or would more strenuously resist the making it independent of the civil power. No man is to be trusted in such a situation: it is not the fault of the soldier; but the vice of human nature, which, unbridled by law, becomes insolent and licentious. When I stand up an advocate for America, I feel myself the firmest friend of this country; for we owe our greatness to the commerce of America: alienate your colonies, and you destroy the genuine supply which nourishes your own strength: let the banners of rebellion be once spread in America, and you are an undone people. You are urging this desperate, this destructive issue: you are urging it with such violence, and by measures tending so manifestly to a fatal point, that though a state of madness only could inspire such an intention, it would appear to be your deliberate purpose: you have changed your ground; you are becoming aggressors; and are offering the last outrage to the people of America, by subjecting them in effect to military execution. I know the vast superiority of your

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disciplined troops over the provincials; but beware how you supply the want of discipline by desperation. Instead of sending them the olive branch, you have sent them the naked sword: by the olive branch, I mean a repeal of all the late laws, fruitless to you and oppressive to them. Ask their aid in a constitutional manner, and they will give it to the utmost of their ability; they never yet refused it when properly called on: your journals bear record of the zeal with which they have contributed to the general necessities of the state: they may be flattered into any thing, but they are not to be driven: have some indulgence to your own likeness; respect their steady English virtue; retract your odious exertions of authority; and remember, that the first step toward making them contribute to your wants, is to reconcile them to your government.'

Mr. Wedderburne explained and defended the principles of the proposed bill, which was only intended to procure a fair trial for imputed offences. Mr. alderman Sawbridge, in a vehement speech, termed it a ridiculous and cruel measure, meant to enslave the Americans by a minister, who, if he had an opportunity, would enslave England: he concluded with expressing a hope that the Americans would resist to the utmost these destructive bills: 'if they do not,' said he, 'they are the most abject slaves that ever the earth produced; and nothing which the minister can do is base enough for them.'

To this violence of speech, lord North replied, with great candour and moderation, that he only wished the measure to be fairly discussed; and if bad, to be rejected. He disclaimed any intention of enslaving America; and declared that the assertion was no better founded in truth, than another, importing that the colonists had seen their error, and were willing to make reparation to the East India Company. So far were they from such a recantation, that letters had lately arrived fraught with accounts of renewed acts of violence. On its third reading, the bill passed by a great majority.

In the house of lords nearly the same line of argument was taken against this as against the former act. The marquis of Rockingham, after reviewing ministerial transactions relative to America since the repeal of the stamp-act, and stigmatising the tea duty as an uncommercial and unproductive claim, retained merely as a bone of contention, made the following objection to the bill:—‘that if officers were men of honor and sensibility, their situation would be worse under the protection of such a law than without it; since no acquittal could be honorable, where the prosecutor had not the usual means of securing a fair trial.’ The bill however passed by a large majority; though a protest was signed by eight peers, in which it was designated ‘a virtual indemnity for murder.’

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These last three acts (says an eminent writer),—the Boston port bill, the bill for altering the constitution of Massachusetts, and that for removing, if necessary, the trial of capital offences to Great Britain,—were considered by the colonists as forming a complete system of tyranny, from which, if they once submitted to it, there was no chance of escape. By the first, said they, the property of unoffending thousands is absolutely taken away for the act of a few individuals; by the second, our chartered liberties are annihilated; by the third, our lives may be destroyed with impunity: property, liberty, life, are all suspended on the altar of ministerial vengeance. These three acts, therefore, became a cement of the union of all the states of America against Great Britain. These acts were, in the mean time, popular in England; and this is the lesson of instruction which the history offers—that nations, like individuals, never condescend to stop and examine how far the arguments and feelings of their opponents may be reasonable and just; whence it follows, that men of rank and influence, in any community, can never be better employed than in prevailing on their countrymen to pause and reflect; to remember that in every quarrel there must necessarily be two sides, and that it would be a marvellous cir-

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Re-appear-
ance of lord
Chatham.

cumstance indeed, if one side, that is themselves, were exclusively in the right.⁸

Opposition in the upper house was now strengthened by lord Chatham; who, after a considerable absence, made his appearance on the seventeenth of May, at the third reading of a bill for quartering troops in America: he took this occasion to state his opinion of the proceedings relative to that country; in the course of which he recommended the substitution of kindness for severity:—‘Instead of adding to their miseries,’ he said, ‘adopt some lenient measures, which may lure them to their duty: act like an affectionate parent toward a beloved child; and, instead of harsh and rigorous proceedings, pass an amnesty on all their youthful errors; clasp them once more to your arms, and I will venture to affirm you will find them children worthy of their sire: but should their turbulence exist after proffered terms of forgiveness, I will be among the foremost to promote such measures as will effectually prevent a future relapse, and make them feel what it is to provoke a fond and forgiving parent.’ These children however had determined to run all risks in discarding the very name of allegiance to their sire; and we can only wonder at the infatuation which prevented so penetrating a mind as that of lord Chatham from seeing through the thin veil which covered their design: both the king and his minister however were aware of it; and after all the wavering policy that had been adopted, now resolved on the application of coercive measures. To a monarch jealous of the slightest infringement on his prerogative, and to a minister determined and pledged to keep his place, it was vain to offer any arguments drawn from the nature of the British constitution, so ill adapted for prompt measures and united counsels; or from the expenses which would follow even a successful contest; or from the predictions of successful resistance on the part of the Americans, made by men practically acquainted with their situation: at the same time, it would have been

⁸ See Professor Smyth's Lectures on Modern History, vol. ii. p. 408.

equally vain to have appealed to the people of England for a dissolution of the connexion between the parent state and her colonies; since the general opinion was, that the reputation, nay, the power, if not the very existence of our empire, depended on those relations which subsisted between them. The true principles of political science had then made but small advances; and it was not foreseen, or at least declared, except by one man,⁴ that the territorial benefits to be derived from America as a dependent province, would have been merely as dust in the balance, compared with the commercial advantages of America as an allied state. Who, however, would then have dared to legislate under such a conviction? Coercion therefore was determined on; preparation for a contest was made: and if the means for that contest had been sought almost exclusively in our fleets, the era of American independence might have been indefinitely postponed, though no cordial union could have been preserved. It was indeed a happy circumstance that the struggle took place when it did; and that Great Britain was left free to contend with the democratic principle after it had taken a more formidable shape and a more dangerous position; that her resources became gradually developed; that the sloth which she had acquired in a long period of inactivity was shaken off; and that attention was more than ever drawn to the advantages of her invincible navy.

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Before the session ended, a bill was brought into parliament, which, by settling the administration of Canada, might complete the ministerial plan of government regarding America. The first object of this bill, which had passed the upper house almost without opposition, was to enlarge the boundaries of the province, so as to comprehend the whole country lying behind New England, New York, and Pennsylvania, to the Ohio, and eastern bank of the Mississippi; whence the line proceeded northward to the southern limit of the lands granted to the Hudson's Bay company; taking in about ten degrees of latitude. The

Bill for the
adminis-
tration of
Canada.⁴ Dean Tucker.

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government of this vast tract was modelled with a view to the manners, customs, and convenience of its inhabitants, an immense majority of whom were French settlers: to all was secured the free exercise of their religion; while the catholic clergy retained those rights which the articles of capitulation had allowed: the ancient laws of the province, which decided civil cases without the intervention of a jury, were established, as being more acceptable to the French Canadians; but for criminal cases, the law of England, with its jury, was introduced: a council also was appointed, holding commissions from his majesty; and its members were to legislate for the province, but not to possess the power of imposing taxes, of enacting severe penalties for religious offences, or of meeting at undue seasons and without sufficient notice: finally, to the king was reserved the privilege of instituting any courts criminal, civil, or ecclesiastical, by letters patent.

This bill met with a more strenuous opposition in the commons than any introduced during the session: Mr. Dunning called it the most pernicious measure ever offered to parliament. He represented the form of government thus given to the Canadians, as essentially the same, but more liable to abuse, than that which they had enjoyed under the crown of France: it was intended, he said, to operate two ways; first, to establish arbitrary power in that extensive territory; and, secondly, to employ the power so established in overthrowing the liberties of America: the proposed abolition of a popular assembly was attributed to that dislike which ministers entertained for the rights of the people; and with regard to religion, it was contended that the articles of capitulation provided that the Roman catholic faith should be tolerated, not established; whereas protestantism was by this bill merely tolerated, and its clergy left for a maintenance to the discretion of the crown. Serjeant Glynn insisted on a breach of promise contained in the royal proclamation of 1763, which declared, that all persons who might settle in Quebec, should be entitled to the

same laws and protection as they had enjoyed in England; whereas the bill went to establish French laws, as well as the catholic religion. In reply to the attorney-general, who had contended that it was cruel and unprecedented to establish new laws in a conquered country, he adduced Ireland and Wales as instances of a contrary practice.

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In support of the bill, it was urged, that the laws which regard personal property and contracts were much the same in France as in England; with regard to the trial by jury, the French had no predilection for it, and disliked it as an innovation: the treaty of 1763, it was said, secured the free exercise of religion, as far as was consistent with the laws of England; and our penal laws did not extend beyond this kingdom, as the king's supremacy did; besides, the Canadians were obliged to give proof of their allegiance, by taking an oath prescribed in this act, against all papal claims interfering with the king's supremacy. The clause which secured to the Romish clergy their tithes, did no more than place them in the condition which they occupied at the conquest of their country; subject however to this disadvantage, that no protestant was obliged to contribute to their support. The extension of the boundary line was justified on the plea, that several French families were settled in remote districts, beyond the former limits; and an intire colony was established in the country of the Illinois. Various amendments were proposed in the commons, which rendered it necessary to return this bill to the upper house; where its principles were now resisted, especially by lord Chatham, who called it 'the child of inordinate power;' and he invoked the bishops to resist a law which would spread Roman catholic tenets over so vast a continent: he insisted also that parliament had no more right to alter the oath of supremacy, than to repeal the great charter, or the bill of rights; but the act passed by twenty-six to seven; and the corporation of London in vain petitioned the king to refuse his assent.

On the day when this bill was carried through the

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lords, the minister proceeded to the annual business of finance: 20,000 seamen had been voted for 1774, including 4354 mariners; and the effective land forces amounted to 18,024, including 1522 invalids. The whole amount of the supplies was given in at £6,159,661; and the ways and means were stated at £6,546,108; exceeding the supplies by £386,447.

Toward the close of this session, the house of commons took the state of the gold coin into consideration, and £250,000 was appropriated to the purpose of calling in and recoinng what was defective; it being agreed that no loss should be sustained by the holders. A committee having been appointed for inquiring into abuses practised in jails, the philanthropic Mr. Howard, then sheriff of Bedfordshire, who had already visited most of those mansions of woe throughout England, was examined; and from the reports which he delivered to the house, many improvements were effected, which greatly tended to the alleviation of human misery. By a decision of the lords in their judicial capacity, the great question of literary property, brought before them by an appeal from the court of chancery, was determined. A statute of the eighth of Anne had declared that the author and his assigns have a right to a work for fourteen years, and for fourteen more, if the author should live so long. Certain judges of the land^b had denied the existence of any such right in common law, and had concluded that an author possessed a property only in his manuscript; that no possession can be taken, or any act of occupancy asserted, on mere ideas: if so, another man, who might have the same ideas, must not presume to publish them, because they had been pre-occupied, and become private property. Lord Mansfield exposed the fallacy of such reasoning, by showing that this was not the nature of the property claimed by an author; which consists in his literary composition; and the identity of it lies in the same thoughts, ranged in the same order, and expressed in the same words: he conceived, that a common law right to the copy of his work was

^b Lord Kaimes in Scotland, and judge Yates in England.

not only vested originally in an author and his assigns; but that it still existed, notwithstanding the statute of Anne: it was agreeable to the principles of right and wrong, and therefore to the common law. Lord Camden did not contest this point, or undertake to prove that there was any thing in the nature of literary property that should render it less durable than other fruits of labor; but he confined himself to the written law of the land: the statute of Anne had taken away any exclusive and perpetual right at common law which an author might have possessed; and the house of peers concurring with him, reversed the decree of chancery, which had been obtained in favor of such exclusive possession.

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On the tenth of May, Louis XV. king of France died, a victim to the small pox, in the sixty-fifth year of his age and the fifty-ninth of his reign: his miserable and loathsome deathbed, deserted by all who had once lived in his smiles, and flattered his vices, is one of the most awful lessons held out by history to potentates, who neglect the duties of their high station, and by their licentious conduct corrupt the morals of a people. The first acts of his youthful successor, Louis XVI., were popular: d'Aiguillon, an ally of the profligate du Barry, was discarded, and the comte de Maurepas appointed minister; while the celebrated Turgot was placed over the finance department: the hated Maupeou and Terray were dismissed, and the new courts dissolved, to be replaced by the ancient parliament; though its ambitious pretensions were considerably circumscribed. These arrangements however did not please the queen, who was strongly attached to M. de Choiseul; whence arose two parties at court, highly prejudicial to the affairs of the kingdom. Though the policy of the new government inclined to conciliate public opinion, unfortunately that opinion was not sufficiently enlightened or united to lead the monarch into the path of his own and the nation's safety; nor did the character of the new sovereign fit him to reform abuses of the state, to contend with the growing turbulence of the times, and to resist

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on the
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those that were opposed to him: his disposition was gentle and benevolent, but he was destitute of energy or decision; and, like Charles I., had a strong taint of insincerity, the most dangerous quality that could have attached itself to a monarch thrown on such times as those of Louis XVI. The notice taken of these events by lord North in the commons was singularly unhappy and unprophetic:—‘A great and good prince,’ he said, ‘is dead, who was a man of an amiable and peaceable mind; but his successor is a wise, economical, and pacific sovereign, who will not enter into any unnecessary war to try new projects.’

Little occurred on the continent this year worthy of notice, except that the Turks suffered so tremendous a defeat by the Russians, that the sultan and his divan saw no other means of saving the empire but by a peace, the terms of which were calculated to excite dismay at Constantinople: by it the independence of the Crimea was acknowledged; Kilburn, Kerché, and Janickla, with all the districts between the Bog and Dnieper, were ceded to Russia; and a free navigation through the Dardanelles for that power was established. Catharine was now at liberty to turn her attention to the civilisation of her subjects: the Poles, though deserted by most of the European powers and oppressed by others, did not lose all spirit: several deputies at the diet boldly opposed the change of constitution, but were at last obliged to yield, and accept the terms offered to them: these were, to be governed by a council of forty, composed of the king, senate, and members of the equestrian order; the senate consisting of the great officers of state: thus a complete aristocracy was established. Rome this year lost her sovereign pontiff, the celebrated Ganganelli; a man possessed of many virtues, and of an enlightened understanding, set off by the most amiable manners: he was one of the few popes that exhibited an example of good government; by which he secured the love of his subjects, while his friendship was coveted by all the European powers. The domestic events of our own country present few objects of interest beyond

the birth of prince Adolphus Frederic, afterwards duke of Cambridge.

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On the twenty-second of June was concluded a session of parliament, as important as any since the Revolution. The king in his speech applauded the Canadian bill, as founded on principles of humanity and justice; and while he deplored the spirit of resistance displayed by the province of Massachusetts, approved the measures adopted to restrain it: he concluded with expressing a desire of seeing his deluded subjects in that part of the world returning to their duty, acquiescing in that just subordination to authority, and maintaining that due regard to the commercial interests of this country, which must ever be inseparably connected with their own prosperity.

During the deliberations of the British Senate, the people of Massachusetts had continued their outrageous proceedings, and destroyed the cargo of every ship laden with tea that arrived. Among other ministerial arrangements, was the removal of governor Hutchinson, who was succeeded by general Gage: this officer had long commanded the troops at Boston, and was much respected for his moderation and urbanity; but the auspices under which he began his administration were not encouraging; the populace indeed were so indignant, because some of the principal inhabitants paid him the compliments due to a new governor, that they hanged him in effigy.

Turbulent
proceed-
ings at
Boston.

The port act, when it arrived at Boston, was received with sensations of terror and indignation; but the latter feelings gradually prevailed, in proportion as the former yielded to the unanimity of sentiment expressed by other provinces. On the twenty-fifth of May, the assembly met for the last time at Boston, and proceeded to elect a council; after which, the new governor opened the session with a declaration of his readiness to concur in all measures tending to advance the prosperity of the colony; but announced the necessity of removing the legislature to Salem; at which place he convened it on the seventh of June, after an immediate adjournment.

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Animated by assurances of support from other provinces; the assembly took an early opportunity of insulting general Gage, under the pretext of answering his speech at the opening of the session: they next appointed a committee for a general congress, and voted £500 for its use. When the governor refused his consent to this misapplication of public money, they recommended a levy to that amount among the towns and districts of the province: anticipating also a dissolution, they appointed a committee, for the purpose of prescribing rules of conduct to the people, under the form of recommendations; which, in existing circumstances, would have the effect of laws. A report was soon presented, stating that this colony, as well as others, had long been struggling under the heavy hand of power: their dutiful petitions for redress of grievances were disregarded; and the plan of destroying the free constitution of America, of establishing arbitrary rule, and reducing the people to slavery, appeared to be firmly settled: the inhabitants therefore were exhorted to discontinue the use of tea, and other articles imported from Great Britain, until redress should be obtained; also to encourage the manufactures of America.

Although the committee endeavored to elude the governor's penetration, by pretending that they were employed on measures of conciliation, he soon discovered their real object, and despatched his secretary to dissolve the assembly: that officer, finding the doors locked, and being refused admittance, proclaimed its dissolution on the stairs, in the presence of several members; but the passing of their resolutions was considered as a point gained. At a town-meeting held in Boston, resolutions were passed, and assurances sent to other colonies, of the zeal and activity prevailing in Massachusetts, and of the general anxiety to meet in congress. Meanwhile, the consequences expected from the punishment inflicted on this refractory province did not appear: that spirit of rivalry, which formerly distinguished American merchants, seemed wholly to have subsided: no one discovered the

slightest inclination to profit by the distress of Boston; and the merchants of Salem declined availing themselves of the advantages that might be derived from the removal of trade to their port. 'Nature,' they said in their address to the governor, 'by the formation of their harbor, had forbidden a rivalry with the convenient mart of Boston; and were it otherwise, they must be dead to every idea of justice, lost to all feelings of humanity, could they indulge one thought of acquiring wealth and raising fortunes on the ruin of their suffering neighbors.'

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Proposals had been made in the different provinces for putting a stop to all commercial dealings with the mother country; but were not eagerly accepted: it seemed to be the general opinion, that such a measure should be kept among the last expedients to be tried. The middle and southern colonies were at this time desirous of avoiding a rupture with Great Britain; all however concurred in a resolution to resist taxation, and all sent liberal contributions to relieve the suffering inhabitants of Boston. In the mean time, copies of the other two bills for altering the constitution of Massachusetts arrived; and tended so much to increase the ferment throughout the provinces, that the Bostonians, already assured of co-operation, now took the lead in opposition to British interests. Henceforward deliberations in general were imbued with that spirit of republicanism which distinguished the states of New England; and the colonists of Massachusetts set an example of resistance to what was called the tyranny of England.

At the suggestion of the provincial assembly, an association was formed, to which, in imitation of their puritan forefathers, they gave the name of 'a solemn League and Covenant;' the subscribers to it binding themselves to suspend all intercourse with Great Britain, from the last day of August ensuing, until the Boston port act should be repealed, and the colony restored to those rights which it derived from its charter; also to have no dealings with persons who should refuse to sign the agreement, or should after-

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wards violate their compact; but to publish their names as enemies to their country. This association not only obtained general applause where it originated, but spread rapidly through the other states. In vain did the governor endeavor to counteract its effects by a proclamation, which declared it treasonable; in vain did he caution the people against countenancing so illegal a combination, under severe penalties: his orders were disregarded, and his power questioned in making that conduct treason which was not treason by the laws. Perceiving how hostile the sentiments and intentions of the people were becoming toward his government, general Gage now thought it advisable to take other means of repressing tumult, more efficacious than proclamations: he accordingly ordered some regiments of infantry, with a detachment of artillery, to encamp near Boston; and these were soon augmented by troops from England and Ireland: but as the colonists, with their usual artifices, induced his men to desert, he placed a guard on the isthmus which joins the peninsula, on which that town is situated, to the main land. This measure, dictated by necessity, was construed into a design of blockading the place, and compelling it to submit to terms: the people of Worcester assembled in arms, assuring the Bostonians that many thousands were ready to succor them; and exhorting them not to despair, or to surrender the liberties of their country.

In August, commissions arrived for the new council: but of thirty-six appointed, only twenty-four would accept the office; and against them the people were so exasperated, that all resigned, except a few inhabitants of Boston, who were protected by the troops: these however issued writs, according to the new law, for convening an assembly in October.

The colonists now began to provide arms, collect warlike stores, and train their youth to military exercises: in short, disaffection spread on all sides, and the reign of law was on the verge of dissolution. Under such circumstances, general Gage took the opportunity of a general muster of militia, to seize

on their ammunition; and at the same time transferred all military stores within the province from their several depots to Boston. Apprehending that his intention was to commence hostilities, several thousands of the militia marched toward the capital; but finding themselves mistaken, they retired: the general however thought it expedient to erect fortifications and barracks on the isthmus, as a measure of precaution; but it was with difficulty that artisans could be engaged; and the works were perpetually interrupted by alarming obstructions: the governor, though he clearly foresaw that scenes of bloodshed were at hand, manifested great equanimity of temper in forbearing to commence them.

Every effort was now made by the committees of correspondence to keep alive the flame of sedition in the province, by spreading abroad rumors of massacres, and of attacks on the capital both by land and sea. In this state of affairs, while the old constitution was abrogated and the new system suspended by violence, some leading men determined to hold an assembly of delegates from all the towns in Suffolk, of which Boston was the metropolis. This meeting passed resolutions more decidedly hostile to the British government than any which had yet appeared: they called the late acts gross infractions of civil and religious liberty, wicked attempts of administration to establish despotism: they resolved to indemnify all officers that should refuse to execute any process issued by the present unconstitutional judges; and declared every member of the new council an enemy to his country: they next condemned the plan of fortifying Boston-neck, attacked the Canadian act, and recommended a total suspension of commercial intercourse with Great Britain, the encouragement of domestic manufactures, the appointment of a provincial congress, and the exercise of the people in arms: they also advised collectors to retain the public money in their own hands, until the civil government of the province should be placed on a constitutional basis, or a provincial congress should direct its application:

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they exhorted the populace to refrain from riots; and concluded with the following instructions, which show how implicitly they relied on the committees of correspondence, and the purpose of their institution:—
'Should our enemies, by any sudden manœuvre, render it necessary for us to ask aid of our brethren in the country, some one of the committee of correspondence, or a select man from the town where hostilities shall commence or be expected, or from the town adjoining, shall despatch couriers with written messages to the select men, or committees of correspondence in the vicinity, who shall send others to committees more remote, until sufficient assistance be obtained; the expense of couriers being defrayed by the county, until otherwise ordered by the provincial assembly.'

Delegates also were appointed to remonstrate with the governor respecting the fortification of Boston-neck, the seizure of the public magazines, and insults offered to passengers and others by the troops. To such proceedings, and to the obnoxious acts of parliament, they declared their resolution never to submit; though they disclaimed all notions of independence, and desired to avoid collision with the king's forces. General Gage shortly answered, that he had no intention of preventing free access to Boston, or of permitting any one under his command to injure his majesty's subjects; but it was his duty to preserve the peace and to prevent surprise: he also gave assurances that artillery should not be employed, unless hostilities rendered it necessary.

The governor had issued writs for the new legislative assembly to meet on the fifth of October; but the course of events induced him to countermand these by proclamation, and to discharge such members as were already returned: the advantage however of meeting in public to discuss, was too clearly perceived by leading men of the province, to be so easily resigned: they therefore declared the proclamation illegal; and the representatives who had been elected, met at Salem: having there waited one day, in compliment to the governor, they resolved themselves into

a provincial congress; and having chosen Mr. John Hancock for their president, adjourned to Concord, distant about twenty miles from the seat of government.

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One of the first proceedings of this assembly was a remonstrance to the governor, in which they vindicated their meeting by a reference to the distracted state of the province; and entreated him, by his regard for the king's honor and the public peace, to desist from the construction of fortifications against the town of Boston. To this address the general answered, in very indignant terms, 'that the lives, liberty, and property of none but avowed enemies could be endangered by the troops of Great Britain, who had shown no disposition for hostilities, though they might be expected to feel resentment at the exertions employed to deprive them even of the necessaries of life.' He reminded this self-constituted congress, that while they affected to complain about infringements on their charter, their very meeting was in direct violation of their own constitution; and, finally, he admonished them to desist from such illegal proceedings.

Undeterred however by any representations, they instantly proceeded to adopt the measures recommended by the Suffolk meeting; settling all matters relating to the militia, arranging means for the collection of arms, providing for the receipt of taxes, and appointing a day of public thanksgiving for the union so happily prevailing throughout the colonies. Such conduct naturally exciting the governor's indignation, he put forth a proclamation, forbidding the people to pay obedience to these seditious resolutions: but, as before, his proclamation was despised; the resolutions were obeyed; and the congress separated, after having appointed another meeting in the ensuing month of February.

But before this time a general congress had been organised by the corresponding committees at Philadelphia; and on the fifth of September, this great national assembly commenced its first session: fifty-one delegates were sent from the different provinces,

Meeting of
congress.

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with the exception of Georgia, which afterwards joined the association: the greatest number from any one colony was seven, and the smallest two; but it was agreed that each state should have only one distinct vote. As they sat with closed doors, their proceedings were involved in secrecy; and their decrees, like the oracles of ancient days, were received by the people as the dictates of profound wisdom. In the instructions given to these delegates, their constituents disclaimed all ideas of independence, while they acknowledged the just prerogatives of the crown, as well as the constitutional authority of their mother country; but they strongly insisted on the rights which they derived from their ancestors as British subjects, and denounced the late measures relative to the colony of Massachusetts as unconstitutional and tyrannical. The first act of congress was a declaration, approving the wisdom and fortitude with which those ministerial measures had been resisted; and asserting that it was the duty of all Americans to assist, not only in relieving the sufferers, but in repelling any force employed to carry the acts complained of into execution: they also passed a resolution, that the removal of any person for the trial of offences committed in America, justified resistance and reprisals.

They next proceeded to declare the principles and object of their association; avowing their allegiance to the king, and their affection to the parent state, with their dependence on her, and the benefits they had received from the connexion: in the most explicit terms they disclaimed any desire of destroying that connexion; but at the same time they demanded a participation in all the rights of British subjects. Having stated their grievances, and traced them to the ruinous system of colonial administration adopted by the British ministry since the peace of 1763, they recommended, as the most peaceable means of obtaining redress, a suspension of all commercial intercourse with Great Britain until her coercive acts should be repealed: they also drew up an eloquent and comprehensive petition to his majesty, pointing out every

important measure passed since the change of system in 1764, with its peculiar principles, features, and bearing on other acts; exhibiting the whole plan of recent and present government, with its actual consequences; declaring attachment to the sovereign, and disclaiming any pretension to new privileges; while they prayed to be restored to their former rights, which other British subjects still enjoyed.

They then prepared a masterly address to the people of England; stating that the Americans, sprung from the same ancestors as themselves, entertained the same sentiments which had produced and supported the British constitution, and considered themselves intitled to equal rights with other British subjects: they apologised for that suspension of commerce which self-preservation had obliged them to adopt; but hoped that the magnanimity and justice of the nation would procure a parliament of such wisdom, independence, and public spirit, as might save the violated rights of the whole empire from the devices of wicked ministers and evil counsellors, whether in or out of office; and thereby restore that harmony which was desired by every true and honest American.

They also published an address to the Canadians, eloquently setting forth the blessings of a free constitution; ingeniously contrived to render them discontented with their new form of government, and alluring them to join the general confederacy: they likewise issued a declaration of rights and grievances; in which they laid aside all former distinctions between legislation and impost, external and internal taxation; claimed the privilege of legislating for themselves; but consented to such acts of parliament as were *bona fide* intended to regulate their foreign commerce, without any reference to a direct revenue. Their grievances were specifically ascribed to eleven acts of parliament, passed in the present reign; but more particularly to three in the last session respecting the province of Massachusetts, and to the law for extending the Canadian boundaries. To general Gage they sent a remonstrance against his military proceed-

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ings, which bore, as they said, a hostile appearance unwarranted even by those tyrannical acts: nor did they forget to address a memorial to the colonists; showing how all were interested in the condition of the inhabitants of Boston; recommending a perseverance in union, and in the measures proposed by congress, as the only means of security against the arbitrary designs of a British ministry; but advising them to extend their views to the most unhappy events, and to be prepared for every contingency: it concluded, in the old puritanical style, by earnestly entreating the people to humble themselves, with devotion of spirit, penitence of heart, and amendment of life, before Almighty God, that his divine goodness might take them under his gracious protection.

After a session of fifty-one days, this first general congress of American states broke up on the twenty-sixth of October, having previously recommended another meeting to be held on the tenth of May following. The effect of its decrees was soon perceptible throughout the provinces: before its convention, the middle and southern states had made no preparations for a warlike contest; but when its members returned to their constituents, all became actuated by the spirit of New England: the militia were frequently assembled for the purpose of discipline; arms were sought for the future defenders of their country; and a final appeal to them became the subject of discourse; whilst a proclamation, which had been issued in England against the exportation of military stores, operated as a powerful excitement with the colonists to manufacture them at home. Following the earnest recommendations of congress, all the other states took a deep interest in the affairs of Massachusetts; and the issue of peace or war seemed to depend more immediately on the transactions of that province, which on one side of the Atlantic was considered as the focus of rebellion, and on the other as the centre of honorable action.

While such was the conduct of the Americans, the British cabinet thought it expedient to take the sense

of the nation on a subject which involved its interests so deeply: they determined therefore to dissolve parliament, in order to afford the people an opportunity of manifesting their opinions in the choice of representatives, and of setting the latter free from all restraint if an alteration of policy should be thought advisable: ministers however were not unacquainted with the national sentiments prevailing at this period: opinions had been very industriously spread and extensively received, not only that British honor and British rights were affected by this quarrel, but that vigorous perseverance would soon finish a contest originating in imbecility, and fostered by temporising expedients; also, that the present administration possessed both the will and ability required to terminate this dispute advantageously for the country. It was not doubted, that the system of coercion now adopted would intimidate its objects; or if it failed in this, would speedily reduce them to subjection: for it is no characteristic of Englishmen to doubt the resources of Great Britain, or the valor of her sons.

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The anticipations of ministers were fully realised by the new parliament; in which was found a considerable change of individual members, but no alteration of political sentiment: this appeared in the first debate on the address to his majesty, whose speech was chiefly occupied by topics relating to the spirit of colonial resistance, and the means taken to repress it. As this address implied a general approbation of the late measures, an amendment was proposed in the commons, and supported by the opposition; but it was negatived by 264 to 73: in the house of peers also an amendment was overruled by a vast majority; and thus government had the assurance of long co-operation from a parliament, whose attachment to its ministerial leaders was perhaps never surpassed. If we look to the principal actors on this grand political arena, we must confess that on each side there was a bright constellation of abilities; though the ranks of opposition exhibited the highest talents, with the most varied and commanding eloquence.

Meeting of
new parliament.

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Nothing remarkable occurred before Christmas, except that nine out of thirteen peers in the minority signed a protest⁶ against the address; and the estimates, as stated to the commons, were formed on a peace establishment; the number of seamen being reduced to 16,000, and the land forces fixed at 17,547 effective men: during the recess however ministers received more accurate intelligence respecting American affairs; which decided them to persevere in the system of coercion: accordingly, they were unmoved by petitions presented, after the adjournment, from American and West Indian merchants resident in London and Bristol, as well as from the manufacturers of Birmingham and other places, representing the great losses they might sustain from the suspension of traffic, and the non-payment of sums due to them from the colonists. These documents were referred to a committee of the house, which, from the little attention it paid to them, acquired the name of 'the committee of oblivion.' The petition from congress had also been transmitted to the king; but his majesty declined to receive it from a body whose existence he could not acknowledge, and referred it to parliament: accordingly, on the twenty-sixth of January, three American agents, Franklin, Bolland, and Lee, prayed the house of commons to be examined at their bar in support of the said paper, which they professed themselves able to elucidate: the house however refused them a hearing on the ground taken by his majesty;—that no attention could be given to that petition without acknowledging the congress and its authority.

Debates on
America.

Lord North sought the earliest opportunity of laying before parliament a large collection of important documents respecting the state of the colonies; and on the twentieth of January a trial of strength between the two parties was brought on by a motion of lord Chatham, who proposed an address to his majesty, requesting him to allay the unhappy ferments in America, by removing the royal troops from Boston. After censuring ministers for their tardy, as well as

⁶ The first of the kind which had ever appeared on the journals of that house.

false representations of American affairs, and advising immediate efforts to be made for effecting a reconciliation with our colonies before the re-assembling of congress, he proceeded to discuss the whole question in a speech, distinguished by that impressive and astounding energy which marked the grandest efforts of this veteran statesman:—‘Nothing,’ he said, ‘but the extremity of sickness shall prevent me from paying unremitting attention to so important a subject: I will knock at the door of this sleeping and confounded ministry, and rouse them to a sense of their imminent danger. When I state the importance of the colonies, and the magnitude of the danger hanging over this country from the present plan of mis-administration, I desire not to be understood to argue a reciprocity of indulgence between England and America: I contend not for indulgence, but justice to America; and I shall ever contend that the Americans justly owe obedience to us in a limited degree:—they owe obedience to our ordinances of trade and navigation; but let the line be skilfully drawn between the objects of those ordinances, and their private internal property; let the sacredness of their property remain inviolate; let it be taxed only by their own consent, given in their provincial assemblies; else it will cease to be property. As to metaphysical refinements, attempting to show that the Americans are equally free from obedience and commercial restraints as from taxation for revenue, being unrepresented here, I pronounce them futile, frivolous, and groundless. Resistance to your acts was necessary as it was just; and your vain declaration of the omnipotence of parliament, and your imperious doctrines of the necessity of submission, will be found equally impotent to convince or enslave your fellow-subjects in America; who feel that tyranny, whether ambitioned by an individual part of the legislature or by the bodies who compose it, is equally intolerable to British subjects. The means of enforcing this thralldom are found to be as ridiculous and weak in practice as they are unjust in principle: indeed I

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cannot but feel an anxious sensibility for the situation of general Gage, and the forces under his command; thinking him, as I do, a man of humanity and understanding; and entertaining, as I ever shall, the highest respect and warmest love for the British troops. Their situation is truly unworthy of them; penned up, and pining in an inglorious inactivity: they are an army of impotence: you may call them an army of safety and of guard; but they are, in truth, an army of impotence and contempt; and to make the folly equal to the disgrace, they are an army of irritation and vexation. The first drop of blood shed in civil and unnatural war may be irremediable. Adopt the grace while you have the opportunity of reconciliation, or at least prepare the way: allay the ferment prevailing in America, by removing the obnoxious hostile cause;—obnoxious and unserviceable; for their merit can only consist in inaction: their force would be most disproportionately exerted against a brave, generous, and united people, with arms in their hands and courage in their hearts; three millions of people, genuine descendants of a valiant and pious ancestry, driven to those deserts by the narrow maxims of a superstitious tyranny. And is the spirit of persecution never to be appeased? are the brave sons of those brave forefathers to inherit their sufferings as they have inherited their virtues? are they to sustain the infliction of a most oppressive and unexampled severity—beyond the accounts of history or description of poetry? *Rhadamanthus habet durissima regna, castigatque, auditque*: so says the wisest poet and perhaps the wisest statesman and politician of antiquity: but our ministers say, the Americans must not be heard: they have been condemned unheard; the indiscriminating hand of vengeance has confounded together innocent and guilty; with all the formalities of hostility, has blocked up the town, and reduced to beggary and famine thirty thousand inhabitants.' His lordship extolled the congress, as more wise than the assemblies of ancient Greece: Thucydides has recorded nothing more honorable or respectable than that despised

convention : their proceedings were remarkable for firmness and moderation ; and it would be happy for Great Britain if her house of commons was as freely chosen. 'Ministers may satisfy themselves, and delude the public, with the report of what they call commercial bodies in America : they are not commercial, they are your packers and factors ; they live on nothing—for I call commission nothing : but these are not the men, nor this the influence to be considered in America, when we estimate the firmness of their union. Trade indeed increases the glory and wealth of a country ; but its real wealth and strength are to be looked for among the cultivators of the soil ; in their simplicity of life is found the simpleness of virtue, the integrity of courage and freedom : these true genuine sons of the earth are invincible ; they surround and hem in the mercantile bodies ; and if it were proposed to desert the cause of liberty, they would virtuously exclaim, 'If trade and slavery are companions, we quit trade ; let trade and slavery seek other shores ; they are not for us !' This resistance to your arbitrary system of taxation might have been foreseen : it was obvious from the nature of things and of mankind ; but above all, from the whiggish spirit flourishing in that country. The spirit which now resists your taxation in America, is the same which formerly opposed loans, benevolences, and ship money in England ; the same spirit which called all England on its legs, and by the bill of rights vindicated the British constitution ; the same principle which established the great fundamental and essential maxim of our liberties, that no subject of England shall be taxed but by his own consent : this glorious spirit of whiggism animates three millions in America, who prefer poverty, with liberty, to gilded chains and sordid affluence ; ready to die in defence of their rights as men—as freemen.

'The cause of America is allied to every true whig : the whole Irish nation, all the true English whigs, the whole people of America combined, would amount to many millions of whigs averse to the system. To such a united force, what force shall be opposed ? what, my

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lords? a few regiments in America, and 17,000 or 18,000 men at home! the idea is too ridiculous to take up a moment of your time. Nor can such a rational and principled union be resisted by the tricks of office, or ministerial manœuvre. The laying papers on your table, or counting noses on a division, will not avert or postpone the hour of danger: it must arrive, unless these fatal acts are done away: it must arrive in all its horrors; and then these boastful ministers, spite of all their confidence and all their manœuvres, shall be forced to hide their heads! They shall be forced to a disgraceful abandonment of their present measures and principles;—principles which they avow, but cannot defend;—measures which they presume to attempt, but cannot hope to effectuate. They cannot, my lords, they cannot stir a step; they have not a move left; they are check-mated. It is not repealing this or that act of parliament—it is not repealing a piece of parchment—that can restore America to our bosom: you must repeal her fears and her resentments; and you may then hope for her love and gratitude: but now, insulted by an armed force at Boston, irritated by a hostile array before her eyes, her concessions, if they could be forced, would be suspicious and insecure; they will be, *irato animo*, not sound honorable pactions of freemen, but dictates of fear and extortions of force. It is, however, more than evident; you cannot force them, principled and united as they are, to your unworthy terms of submission: it is impossible! and when I hear general Gage censured for inactivity, I must retort with indignation on those whose intemperate measures and improvident counsels have betrayed him into his present situation. His situation reminds me of the answer of a French general in the civil wars of France:—Condé, opposed to Turenne, being asked how it happened that he did not take his adversary prisoner, as he was often very near him; honestly replied, ‘I am afraid he will take me.’ We shall be forced ultimately to retract:—let us retract while we can, not when we must. These violent and oppressive acts must be repealed:

you will repeal them; I pledge myself for it, that you will in the end repeal them; I stake my reputation on it! I will consent to be taken for an idiot, if they are not finally repealed! avoid then this humiliating, this disgraceful necessity; with a dignity becoming your exalted situation, make the first advances to concord, to peace, and to happiness; for that is your true dignity, to act with prudence and with justice. That you should first concede is obvious, from sound and rational policy: concession comes with better grace and more salutary effect from the superior power; it reconciles superiority of power with the feelings of men, and establishes solid confidence on the foundations of affection and gratitude. So thought a wise poet and a wise man in political sagacity; the friend of Mæcenas, and the eulogist of Augustus: to him, the adopted son of the first Cæsar; to him, the master of the world, he wisely urged this conduct of prudence and dignity:—

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*Tuque prior, tu, parce; genus qui ducis Olympo;
Projice tela manu.*

On the other hand, every danger impends to deter you from perseverance in the present ruinous measures; foreign war hanging over your heads by a slight and brittle thread; France and Spain watching your conduct, and waiting for the maturity of your errors. If ministers thus persevere in misadvising and misleading the king, I will not say they can alienate the affection of his subjects from the crown; but I will affirm that they can make the crown not worth his wearing: I will not say the king is betrayed; but I will pronounce the kingdom undone.'

The motion was supported by the duke of Richmond, the marquis of Rockingham, earl of Shelburne, and lord Camden; while the earls of Suffolk, Rochford and Gower, viscounts Townshend and Weymouth, with lord Lyttleton, gave it their opposition, defending the obnoxious acts, vindicating the legislative supremacy of parliament, and controverting the eulogy passed on

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the American congress, whose acts and resolutions were said to savor strongly of a rebellious spirit. The motion was negatived: but in submitting it to the house, lord Chatham said, that he had framed a plan of honorable and permanent adjustment: and this he presented on the twenty-first of February, under the form of a provisional act for settling the troubles in America, and for asserting the supreme legislative authority of Great Britain over her colonies: he pre-faced it with a short introductory speech, and concluded by entreating the house to assist him in digesting his crude materials, and adapting them to the importance of the subject. An animated debate ensued; and the earl of Dartmouth, secretary of state for America, wished the bill to lie on the table for consideration; but it was vehemently opposed by lord Sandwich, who declared himself against any concession, and moved for its immediate rejection with the contempt it deserved. He could not believe it the production of a British peer: it appeared to him rather the work of some American; and turning his face toward Dr. Franklin, who was then leaning on the bar of the house, said, he fancied he had in his eye the person who drew it up; one of the bitterest and most mischievous enemies this country had ever known.⁷ He was supported by earls Gower and Hillsborough; but more particularly by the duke of Grafton, who objected to the unparliamentary mode of introducing this bill. The duke of Richmond, earl of Shelburne, and lord Camden spoke in its favor, analysing the laws proposed to be repealed with great severity; and pointing out, not only the evils of foreign interference, but the danger of famine at home from the discontinuance of supplies of corn from the colonies. A more moderate party, consisting of the duke of Manchester, earl Temple, and lord Lyttleton, though they objected to some parts of the bill, were averse to the summary mode recommended for disposing of

⁷ 'This,' says Franklin, 'drew the eyes of many lords on me: but as I had no inducement to take it to myself, I kept my countenance as immovable as if my features had been made of wood.'—*Memoirs*, vol. i. p. 150.

it, from regard to the high character of its proposer; and lord Temple, in the course of his observations, attributed all the evils complained of to the repeal of the stamp-act. During the debate, much altercation took place; and when some noble lord mentioned with applause the candid proposal of a member of administration for taking a measure of such importance into consideration, lord Dartmouth rose again, and said, 'that having subsequently heard the opinions of so many peers against permitting the bill to lie on the table, he had altered his own, and could not accept praise offered to him for a candor of which he was now ashamed; he should therefore give his voice for rejecting the plan immediately.'

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Lord Chatham, in his reply, declared that the measure was his own; for if it was so weak and mean a thing as many of their lordships seemed to think it, no other person ought to share in the censure. 'It has heretofore been reckoned a vice in me,' said his lordship, 'not to be apt in taking advice; but I scruple not to declare, that if I were the first minister of this country, I should not be ashamed of publicly calling to my assistance a person so perfectly acquainted with American affairs, as the gentleman alluded to, and so injuriously reflected on.' He then attacked his ancient colleague, and humble pioneer, the duke of Grafton, with severity; and inveighed against the whole administration, attributing their opposition to a hatred of liberty, and want of virtue; stigmatising their political conduct as a continued series of weakness, ignorance, despotism, and corruption. 'On reconsideration, however,' said he, 'I must allow you one merit; a strict attention to your own interests; in which view you appear sound statesmen and able politicians: you well know that if the present bill should pass, you must instantly lose your places: who then can wonder that you should negative any measure, which must annihilate your power, deprive you of your emoluments, and at once reduce you to that state of insignificance for which God and nature designed you?'

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These animadversions were reprobated as a factious design to embarrass government and obtain undue popularity, by earls Gower and Hillsborough; who did not doubt that endeavors would be made to circulate the proposed bill, and inflame the public mind, both here and abroad: the persons censured only shared the fate of all other administrations within their recollection; the noble lord having uniformly condemned, though he afterwards acted with them; and if his age did not form an impediment, he would probably give another proof of his versatility, by patronising the measures which he now so vehemently condemned. It must be confessed, that the undue servility of some, and the intemperate acrimony of others toward their sovereign—the grasping ambition of aristocratic families for power and patronage, to the exclusion of merit and talent in every sphere below them—also the manifest eagerness displayed for the profits of place, in order to recruit fortunes dilapidated by profligate expenditure, give a strong color of truth to the criminations and recriminations of statesmen at this period. Lord Sandwich's motion was carried by sixty-one to thirty-two.

On the second of February, the house of commons resolved itself into a committee to take the papers from America into consideration; when lord North reargued the old topics of parliamentary supremacy, and the injustice of American complaints; after which he denounced the confederacy formed against commercial intercourse with England, and unfolded his plan of coercion: this consisted in the transportation of a large military force to the colonies, in a temporary act to stop the foreign commerce of New England; and in a prohibition of the Americans from the fisheries of Newfoundland until they should return to their duty: but a declaration was annexed, that, whenever that event took place, their real grievances should be redressed. His motion was for an address to his majesty; and a spirited debate ensued, after Mr. Fox had moved an amendment, censuring ministers for having rather inflamed than healed differences, and

praying for their dismissal: he descanted largely on the injustice of the motion, predicting defeat in America, and ruin at home: but the amendment was negatived by an immense majority.

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On the presentation of the report, lord John Cavendish moved that the address should be re-committed; and in debate the existence of rebellion, and the policy of declaring it, were discussed; a prominent part being taken by Mr. Wilkes, who had been re-elected for Middlesex, and admitted without opposition to his seat. 'Who can tell,' he said, 'whether, in consequence of this very day's violent and mad address, the scabbard may not be thrown away by the Americans as well as by us; and should success attend them, whether in a few years they may not celebrate the glorious era of the revolution of 1775, as we do that of 1688? Success crowned the generous efforts of our forefathers for freedom; else they had died on the scaffold as traitors; and the period of our history, which does us most honor, would have been deemed a rebellion against lawful authority, not a resistance sanctioned by the laws of God and man, or the expulsion of a tyrant.' In reply, it was observed, that the present important crisis had been produced, not more by the restless spirit of the colonists, than by a zeal for their cause, and a seditious spirit exhibited at home: the proceedings of the Americans evidently tended to independence, and a future age might perhaps see them successful; but it was our duty by care and vigilance to prevent the evil day from arriving in our time, and affixing an indelible stain on the present age.

Lord North, who had exhibited signs of irresolution respecting coercive measures, by stating his readiness to repeal the tea-duty, if that would satisfy the colonists, now showed still greater hesitation: he disclaimed the taxation of America as an act of his administration, and traced it to the duke of Grafton; adding that the quarrel would be terminated, if the constitutional right of supremacy were conceded to

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Great Britain.⁸ The motion for recommitment was negatived by 288 to 105.

A conference being held on the address, lord Dartmouth moved that the lords should concur in it; and on this motion the previous question was demanded. A long but animated debate ensued, in which lord Mansfield took a very conspicuous part, combating the arguments of those who contended that the Americans aimed only at exemption from taxation: after which he minutely analysed the declarations of congress, and the parliamentary acts of which they complained; proving that to annul any, except those relating to taxes, would be a complete renunciation of sovereignty; he argued, from documents before the house, that the Americans were in a state of rebellion; and condemned the taxes imposed in 1767, as the origin of present troubles; for they had thrown the colonies into a ferment, and injured British commerce, by furnishing the colonists with a temptation to smuggle.

Lord Camden disclaimed all participation in the law for taxing America; and the duke of Grafton took this opportunity of publicly testifying that he was not the author of the measure: perhaps it was contrary to his judgment; but, in opposition to lord Camden, he asserted, that every cabinet minister who acted in that capacity, when a law was passed, should equally share the censure or applause resulting from its defects or merits.⁹ The earl of Shelburne expressed a hope that the day of retribution would arrive, and the author of the present dangerous measures be discovered; at the same time he declared, from his own knowledge, that neither the duke of Grafton nor lord Camden approved of the plan of taxing America. After very high words between the noble earl and lord Mansfield, who was also attacked by the duke of Richmond, this inde-

⁸ Adolphus, vol. ii. p. 197.

⁹ 'The duke of Grafton,' professor Smyth very justly observes, 'and others then in the cabinet, were guilty, not of advising these measures; but, what is the same thing on very important occasions, were guilty of not throwing up their places, when their opinions were overruled.'—Lectures on Mod. Hist. vol. ii. p. 366.

corous debate was terminated by the house agreeing to the address. The king's answer was accompanied by a message to the commons, recommending an augmentation of forces by sea and land; in consequence of which 2000 additional seamen and 4383 soldiers were voted: in the discussion of this subject, the probability of foreign interference was not overlooked; and captain Walsingham asserted, that of seventy-five sail of the line in the ports of France, one half were manned and fit for service.

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In pursuance of his plan, lord North, on the tenth of February, produced a bill for restraining the commerce of New England, considering himself fully justified in this measure by the rebellious state of that country, and by the anti-commercial resolutions of its inhabitants. An exception was made in favor of individuals, who should obtain from the governors of certain provinces certificates of good conduct, and subscribe a test acknowledging the supremacy of parliament.

A strong opposition was made to the bill in both houses, on the score of confounding innocence with guilt, of destroying a trade which perhaps never could be recovered, of cruelly starving whole provinces, and thus irritating the Americans to withhold debts due to British merchants. The marquis of Rockingham went so far as to compare the conduct of ministers to that of general Rosen at the siege of Derry; who, to reduce the garrison, collected wives, children, and aged parents of the besieged under its walls, to perish there by famine, or by the sword if they attempted to retreat.

The partisans of ministry denied these imputations, and were far from thinking themselves driven to a necessity of so acting: in both houses gross reflections were cast on the American character, courage, and resources; followed by a vain boasting of that insuperable power of the parent state, which in the result was found unequal to the contest. 'Suppose the colonies to abound in men,' exclaimed lord Sandwich; 'of what importance is the fact? They

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are raw, undisciplined, and cowardly. I wish, instead of 40,000 or 50,000 of these brave fellows, they would produce 200,000: the more the better; the easier would be the conquest: if they did not run away, they would starve themselves into compliance with our measures.' Not only was this bill sanctioned by large majorities, but another also passed very soon after it, laying similar restrictions on the provinces of New Jersey, Pennsylvania, Maryland, Virginia, and South Carolina; on the ground that they were as much in a state of rebellion as those of New England.

Pacific
motion of
lord North.

On the twentieth of February, and while the restraining bill was still in suspense, lord North, to the surprise of opposition, and of many among his own adherents, brought forward in committee a pacific motion for healing all differences between Great Britain and America. As a report of his intention had been widely circulated, the house was very crowded, and the members full of expectation. It is said, that the Bedford party, inimical to America, and urgent for severe measures, began to exclaim against the minister on account of his political vacillation; that they even began to count voices for the purpose of negating his motion, and throwing him out of administration: his friends were therefore alarmed for him; much whispering took place; and it was suspected that the motion, when made, was somewhat different from that originally intended:¹⁰ it ran as follows:—'It is the opinion of this committee, that when the governor, council, and assembly, or general court of his majesty's provinces or colonies, shall propose to make provision, according to their respective conditions, circumstances, and situations, for contributing their proportion to the common defence, such proportion to be raised under authority of the general court or general assembly of such province or colony, and disposable by parliament; and shall engage to make provision also for the support of the civil government, and administration of justice in such province or colony; it will be proper, if such proposal shall be approved by his

¹⁰ See *Memoirs of Franklin*, vol. i. p. 525.

majesty in parliament, and for so long as such provision shall be made accordingly, to forbear, in respect of such province or colony, to levy any duties, tax, or assessment, or to impose any farther duty, tax, or assessment, except only such duties as it may be expedient to impose for the regulation of commerce: the net produce of the duties last mentioned to be carried to the account of such province, colony, or plantation exclusively.'

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'These terms,' said his lordship, 'being such as in the hour of victory would be good and just, are a test to the Americans of their pretensions: if their ostensible causes of opposition be real, they must agree with our proposals; if they do not, they will be indisputably shown to have other views, and to be actuated by other motives. To offer terms of peace is wise and humane; if the colonists reject them, their blood must be on their own heads.'

In the long and desultory debate that ensued, lord North met with strong support from governor Pownall, who professed himself as independent of the minister as he was unconnected with opposition. He traced the origin of the present quarrel to a congress at Albany in 1754, at which he was present: he had always in both countries recommended such a mode of conduct as he thought calculated to prevent a rupture, but had the misfortune to find his counsel disregarded. He now saw the colonists resisting all government derived from the crown and parliament, opposing rights which they had ever acknowledged, and arraying themselves in arms against Great Britain: under such circumstances, he could not deny the necessity which impelled this country to assume a hostile attitude; but though he acquiesced in the measures of government, he looked forward to pacification, and hailed the present proposition as the dawn of peace.

Mr. Fox exulted in the retrograde movement of the minister, from scenes of violence and war, to the paths of peace; attributing this change to the perseverance of a firm and spirited opposition: still he

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questioned the sincerity of the motion now made, as it exhibited two faces; to the Americans it offered a semblance of reconciliation, but to the advocates of British supremacy it exhibited a resolution never to abandon that object. This conduct would alienate the minister's friends; while those who sincerely desired peace would not trust his specious offers; and the Americans would reject them with disdain.

The principal objection to the motion arose from its disagreement with the address; by which lord North was embarrassed: at length, however, the apparent contradiction was reconciled by sir Gilbert Elliott, who observed that the address contained two correspondent lines of conduct, the one tending to repress rebellion, for which measures of restriction had been resorted to; the other offering indulgence to those that would return to their duty: this in the address was necessarily intimated in general and vague terms; but was so far from being contradictory to it, that without it the plan adopted at the beginning of the session would be defective and unjust.

Colonel Barré attacked the minister on the ridiculous situation from which he was extricated by sir Gilbert Elliott; and his motion, as founded on that abominable maxim, *divide et impera*: this was to divide the Americans, and dissolve their generous union in defence of their rights: but they were not to be caught with such a bait. Mr. Burke declared that the present measure was mean without being conciliatory; that it was a far more oppressive mode of taxation than that hitherto adopted; for it made no determined demand: the colonies were to be held in durance by troops and fleets, until singly and separately they should offer to contribute to a service they could not know, in a proportion they could not guess, on a standard which they were so far from being able to ascertain, that parliament had not ventured to hint at the scope of their expectations. He compared this conduct to the tyranny of Nebuchadnezzar, who ordered the assemblies of his wise men, on pain of death, not only to interpret, but to tell

him the subject of a dream which he had forgotten. Every benefit, natural and political, must be acquired in the order of things, and in its proper season; revenue from free people must be the consequence, not the condition of peace: if this order were inverted, neither peace nor revenue could be obtained.

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On the report of the committee being presented, the debate was renewed; but the resolution was agreed to. The plan itself appears to have been commendable in this; that it did not compromise the dignity of the parent state, or require abject submission from the colonists: acquiescence was however probably expected by neither party; and the opposition deemed the present a good occasion for them to put forth a plan of conciliation, the terms of which might, by comparison, cast a censure on that of the minister. The task of drawing up such a proposition was committed to Mr. Burke, as a person well qualified for it by enlarged principles of philosophy, genuine philanthropy, and political wisdom; while he was especially pointed out by his connexion with America, being colonial agent for New York, and by the seat which he occupied as representative of Bristol, at this time the second city for importance in the British empire.

On the twenty-second of March this accomplished statesman brought forward his memorable articles, thirteen in number, as the means of restoring tranquillity: these went to repeal many acts of parliament and to reform many regulations; but the foundation on which the whole rested, was a mode of raising revenue from the colonists, through grants and aids, by resolutions in their general assemblies. He introduced this plan by a speech, which, after all due allowance to be made for the spirit of party, may be considered as one of the finest specimens of eloquent pleading recorded in history. In the opening, Mr. Burke took a comprehensive view of the state of Britain, as connected with America; and acknowledged the difficulty which he felt in advancing any proposition for permanent tranquillity, while anger and violence, daily increasing, were hastening towards an alienation of the

Mr. Burke's
plan of con-
ciliation.

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colonies: his proposition was peace; not peace by means of war; not peace to be hunted through a labyrinth of intricate and endless negotiations; not peace to rise out of universal discord fomented from principle in all parts of the empire; not peace to depend on the judicial determination of perplexing questions, or precision in marking the shadowy boundaries of a complex government; but simple peace, sought for in the spirit of peace, and laid in principles purely pacific.—‘I propose,’ said he, ‘by removing the ground of difference, and by restoring the former unsuspecting confidence of the colonies in the mother country, to give permanent satisfaction to your people; and, far from a scheme of ruling by discord, to reconcile them to each other in the same act, and by a bond of the very same interest, which reconciles them to British government.’ He declared that his plan of conciliation was founded on the sure and solid basis of experience, without any chimeras of imagination, or abstract ideas of right, or mere general theories of government. Taking advantage of the acquiescence of the house in the late ministerial plan to infer, as from an established principle, that colonial complaints were not without foundation; that conciliation was admissible previous to concession; and to conclude that proposals ought to originate with Great Britain,—he entered into a copious display and elucidation of his subject. Dwelling on the enlarged population of America, and the increased importance of her trade both in exports and imports, he mentioned the astonishing fact, that during the present century the amount of those exports to Britain had risen from £570,000 to upwards of £6,000,000 annually. Animated by this view of their great and growing prosperity, and pursuing the colonists in imagination into every quarter of the globe where their active and ardent genius had found the means of exertion, he exclaimed, in a lofty strain of eloquence,—‘While we follow them into the north among mountains of ice, while we behold them penetrating the deepest recesses of Hudson’s-bay, while we are looking for them beneath the arctic circle, they per-

vaded the antipodes, and engaged under the frozen serpent of the south : nor is the equinoctial heat more discouraging to them than the accumulated winter of the poles : while some of them launch the harpoon on the coast of Africa, others pursue their gigantic toils on the shores of the Brazils : there is no climate that is not a witness of their labors. When I contemplate these things ; when I know they owe little or nothing to any care of ours ; but that they have arrived at this perfection through a wise and salutary neglect ; I feel the pride of power and the presumption of wisdom die away within me ; and I pardon every thing to their spirit of liberty.' In the character of the Americans, he contended that the love of freedom was the predominant feature ; a fierce love of liberty, jealous, suspicious, restive, and intractable at the appearance of any attempt to wrest from them by force, or shuffle from them by chicanery, the only advantage which in their estimation gives a value to life : and he affirmed that government, to be beneficial, or even practicable, must be adapted to the feelings, habits, and received opinions of a people ; that all schemes which had been or could be proposed, without due regard to these concerns, would be found ineffectual and dangerous : distance also from the seat of government was a consideration of great importance.—' Three thousand miles of ocean,' he exclaimed, ' lie between you and your subjects ! This is a powerful principle in the natural constitution of things for weakening government, of which no contrivance can destroy the effect : seas roll, and months pass, between the order and the execution : you have indeed winged messengers of vengeance, which carry your bolts to the remotest verge of the sea ; but there a power steps in, that limits the arrogance of the raging passions, and says, ' Hither shalt thou go, and no farther.' Who are you, that you should fret and bite the chains of nature ? Nothing worse happens to you than to all nations possessing extensive empire ; and it happens in all the forms into which empire can be thrown : in large bodies the circulation of power must be less at the ex-

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tremities: nature herself has said it: the Turk cannot govern Egypt as he governs Thrace; nor has he the same dominion in the Crimea and Algiers which he has at Brusa and Smyrna: despotism itself is obliged to truck and huxter: the sultan gets such obedience as he can: he governs with a loose rein, that he may govern at all. Spain too in her American provinces submits to this immutable condition, the eternal law of extensive and detached empire.' From these investigations, he proceeded to examine the method by which a new government had been established without the ordinary artificial means of a positive constitution, better observed than the ancient government in its most fortunate periods; and yet formed in the midst of anarchy. Against the daring and stubborn spirit which could achieve such a prodigy, only three modes of proceeding could be found to change it;—by removing the causes; by prosecuting it as criminal; or by complying with it as necessary. To alter those causes which were moral, he pronounced no less impracticable than to remove those which were natural. The second mode was too vast for his ideas of jurisprudence: he confessed that he was not acquainted with the method of drawing up the indictment against a whole people: he could not insult and ridicule the feelings of millions of his fellow-creatures; he was not ripe to pass sentence on the gravest public bodies, entrusted with magistracy of great authority and dignity, and charged with the safety of their fellow-citizens on the same title with himself: he really thought, for a wise man, this was not judicious; for a sober man, not decent; for a mind tinctured with humanity, not mild or merciful: nor were the criminations hitherto adopted attended with a correspondent effect: Massachusetts-bay was declared in rebellion; but no individual was convicted or even apprehended: measures of coercion were resorted to, rather resembling qualified hostility against an independent power, than punishment of rebellious subjects. Conciliation and concession then alone remained; the colonies complained of being taxed in a parliament where they

were not represented: if they were to be satisfied, it was by giving them the boon they asked; not another of a kind totally different, but which might be thought better for them. He deprecated all discussion on right, as foreign from the question; which related merely to expediency: whether the grant of money was a private power reserved out of the general trust of government, and how far mankind in all forms of polity were entitled to an exercise of that right by the charter of nature; or whether, on the contrary, a right of taxation was involved in the general principle of legislation, and inseparable from the ordinary supreme power;—‘these,’ he said, ‘are deep questions, where great names militate against each other; where reason is perplexed, and an appeal to authorities only thickens the confusion: for high and revered authorities lift up their heads on both sides; and there is no sure footing in the middle: this is, in the language of Milton,—

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A gulf profound, as that Serbonian bog,
‘Twixt Damietta and mount Casius old,
Where armies whole have sunk.’

He disclaimed, therefore, any intention to decide on the question of right, and wished to consider solely the question of policy. Without inquiring whether they had a right to render a people miserable, he asked ministers whether it was not their interest to make them happy; and instead of taking the opinion of a lawyer on what they might do, he thought it more consonant with reason, humanity, and justice, to consult what they ought to do in an emergency like the present. The colonies, as they had hitherto been governed, were living monuments of the wisdom of our ancestors: the only method of governing them with safety or advantage, was by admitting them to an interest in our constitution, and by recording that admission in the journals of parliament; to give them as strong an assurance as the nature of the thing would allow, that we mean for ever to adhere to the system originally established. The idea of governing by force

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he reprobated, as gross in its conception, uncertain in its effects, and ruinous even in its success. In conformity with these principles parliament must revert to the ancient constitutional policy which established taxation in America by grant, and not by imposition; which recognised the legal competency of the colonial assemblies for the support of civil government in time of peace, and for public aids in time of war.

In explanation and vindication of this long-established policy, he pleaded the unrepresented state of the colonies, and the injustice of taxing them by a British parliament. Distance prevented their sending deputies to England; and they had general assemblies of their own, legally authorised to raise taxes: those assemblies had frequently granted large subsidies to the king, which had been found a more agreeable and beneficial manner of forwarding the public service than acts of parliament; and he maintained, that a larger fund would be derived from prosperous gratitude, than could be obtained from compulsive oppression.

‘Where is the soil or climate,’ he asked, ‘whose experience has not uniformly proved, that the voluntary flow of heaped-up plenty, bursting from the weight of its own rich luxuriance, has ever run with a more copious stream of revenue, than could be squeezed from the dry husks of oppressed indigence, by the straining of all the political machinery in the world?’

He showed in strong terms the utter impossibility of our receiving a revenue in England, transmitted from America; and argued from the example of Bengal, where the sums received in taxes were refunded by loan, that no fiscal emolument could be expected from a distant country. ‘Bengal was peculiarly qualified to produce and transmit wealth; America had no such aptitude: if she gave taxable objects, on which to lay duties here, and a surplus by a foreign sale of her commodities, she performed her part to the British revenue. With regard to her own internal establishments, she might, and doubtless would, contribute in moderation; nor ought she to be per-

mitted to exhaust herself: magnanimity in politics is not seldom the truest wisdom; whilst a great empire and little minds go ill together. If we are conscious of our situation, and glow with zeal to fill our place as becomes our station, we ought to elevate our minds to the greatness of that trust to which the order of Providence has called us. By adverting to the dignity of this high calling, our ancestors have turned a savage wilderness into a glorious empire, and have made the most extensive and honorable conquests, not by destroying, but by promoting, the wealth, number, and happiness of the human race. Let us get an American revenue as we have got an American empire: English privileges have made it all that it is; English privileges alone will make it all it can be.'

These propositions of Mr. Burke were vigorously combated by the ministerial party, who stood on the necessity of opposing all unconstitutional claims; and who farther insisted, that no body of men, except parliament, could levy money for the use of the crown: it was argued therefore that an adoption of the plan suggested might subject a minister to impeachment: when we farther consider how pride of power will scarcely ever yield, as long as it supposes itself able to compel, we shall not be surprised that Mr. Burke's measure was rejected. Failing with regard to the house, he appealed to the public, by printing his speech: but while this was read, admired, and forgotten, a defence of American taxation from the charge of tyranny, published by his tory friend Dr. Johnson, found a much readier entrance into the hearts of a people predisposed to admit his arguments.¹¹ A few days afterwards, Mr. Hartley, a respectable member of opposition, attempted another conciliatory project, by moving, that letters of requisition be issued, agreeably to ancient precedents, under authority of the

¹¹ In this piece he defended colonial subordination on the principles of the law of nations; and maintained that the colonists, by their situation, became possessed of such advantages as were more than equivalent to their right of voting for representatives in parliament: he ridiculed the distinction between internal taxation and commercial regulations; and argued, that as parliament may enact for America a law of capital punishment, it may therefore establish a mode and proportion of taxation.

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Factionous re-
monstrance
of the city
of London.

crown, with a view to procure a permanent and voluntary contribution from the several colonies toward the general expenses of the empire; but the motion was negatived without a division.

At this period, the livery of London, or rather a minority by which its proceedings were often guided, attempted to change the royal counsels by an address, containing a remonstrance, and distinguished by the circumstance of its presentation by Mr. Wilkes, who had been elected to the dignity of lord mayor. In this document the citizens of London declared their abhorrence of the measures which had been and were then pursued, for the oppression of their fellow-subjects in the colonies. Not deceived by the specious artifice of calling despotism dignity, they plainly perceived that the real purpose was to establish arbitrary power over all America; these measures, they affirmed, were carried into execution by the same fatal corruption which had enabled his majesty's ministers to wound the peace, and violate the constitution of this country. 'Your petitioners, therefore, most earnestly entreat your majesty to dismiss immediately, and for ever, from your councils, those advisers, as the first step towards a redress of grievances which alarm and afflict your whole people.' The king's answer was delivered in a tone of marked emotion, to the following effect:—'It is with the utmost astonishment that I find any of my subjects capable of encouraging the rebellious disposition which unhappily exists in some of my colonies in North America. Having intire confidence in my parliament, the great council of the nation, I will steadily pursue those measures which they have recommended, for the support of the constitutional rights of Great Britain, and the protection of the commercial interests of my kingdoms.' The lord mayor was prevented from replying by a hint from the lord in waiting; and in a few days after, notice was sent, that the king would not receive any address on the throne from the city, except in its corporate capacity: this gave an opportunity to Mr. Wilkes of raising a new contest.

Attempts were made in both houses to procure a

repeal of the act for settling the government of Canada; but without effect. Alderman Sawbridge did not forget his annual motion for shortening the duration of parliaments, in which he was supported by Wilkes, who also applied, but in vain, to obtain a revision of proceedings regarding his election for Middlesex. On the motion of Mr. Gilbert, a committee was appointed, March 27, to take the poor laws into consideration; and in consequence of a message from his majesty, Buckingham-house was purchased, and settled on the queen, in lieu of Somerset-house; which was now converted into public offices. The session closed with business of finance: the amount of the supplies for 1775 was £4,307,450; and one million of three per cent. annuities was paid off at eighty-eight per cent. £1,250,000 in exchequer bills were discharged; and new bills to an equal amount issued: the land tax was continued at three shillings in the pound; and the total of ways and means, exclusive of exchequer bills, but including the £1,000,000 of national debt discharged, was £5,309,246.¹²

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On the twenty-sixth of May his majesty prorogued the parliament, after expressing his satisfaction at the conduct they had pursued, and auguring the happiest results from their wise and salutary measures: but the critical period was now at hand; indeed, the die was cast; and the contest between England and her transatlantic colonies was unavoidably to be decided by the sword. Dr. Franklin, who had been lately engaged in some fruitless attempts at conciliation by persons of rank and authority, but was viewed by government with a suspicious eye, embarked rather hastily, in March, for that country which was about to profit so largely by his diplomatic talents. On the evening before his departure from London, he had a long interview with Mr. Burke; when he expressed considerable regret for the calamities which he anticipated as the consequence of ministerial resolutions, professing that nothing could give him more pain than a separation of the colonies from the mother country,

¹² History of Lord North's Administration, p. 203.

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under whose rule America had enjoyed so many happy days. Mr. Lee was left as colonial agent in his place.

The attention of all Europe was strongly drawn to a dispute likely to be so important in its results. That jealousy, which began to be entertained of the pre-eminence of Great Britain, and which soon displayed itself in overt acts, inclined many nations to view the rupture with satisfaction, and to anticipate consequences disastrous to the parent state: her proceedings were generally considered as warranting such expectations; and we find them thus commented on by that keen politician, Frederic of Prussia:—‘It is a difficult thing,’ said he, addressing an English gentleman at his court, ‘to govern men by force, at such a distance: if the Americans should be beaten, which appears rather problematical, still it will be next to impossible to continue drawing from them a revenue by taxation. If you intend conciliation with America, some of your measures are too rough; if you intend its subjection, they are too gentle.’¹⁸

¹⁸ History of Lord North's Administration, p. 204. His majesty ended by observing, ‘Enfin, messieurs, je ne comprends pas ces choses-là: je n'ai point de colonie: j'espère que vous vous tirerez bien de l'affaire; mais elle me paroit un peu épineuse.’

CHAPTER XVI.

GEORGE III. (CONTINUED.)—1775.

Spirit of the colonies, especially that of Massachusetts—Expedition to seize stores at Salem—Affair of Lexington—Formation of an army by the provincials, and other measures—Arrival of lord North's conciliatory propositions—Conduct of Pennsylvania and other states—Meeting of the general congress, and measures adopted—Reinforcements sent from England—General Gage's proclamation—Preparations for hostilities—Battle of Bunker's hill—Appointment of Washington as commander in chief—His arrival at Boston, and disposition of the army—General Gage's inactivity: he is recalled, and the command devolves on general Howe—Armed cruisers fitted out by the provincials; capture of British store-ships, &c.—Successful expedition against Ticonderoga and Crown Point—Resolution of congress thereon—Colonel Arnold's proposals adopted by congress—General Montgomery's expedition to Canada; capture of Fort St. John and Montreal—Contemporaneous expedition of colonel Arnold, who arrives opposite Quebec—His first operations unsuccessful—Junction of Arnold and Montgomery—Siege and unsuccessful assault of Quebec—Montgomery's death—Disposition and revolt of the southern provinces—Falmouth in Massachusetts burnt—Americans issue letters of marque, and build ships—Conduct and prospects of the colonists considered—Opinions in England—Proceedings of the democrats—Rev. John Horne—His libel, trial, and sentence—Affair of Mr. Sayre—Parliament meets—King's speech—Amendments proposed, and debates—Duke of Grafton differs from his colleagues—Lord Barrington averse to coercive measures—Debates on the introduction of foreign troops into Gibraltar and Minorca—Militia bill—Number of forces to be raised—Duke of Grafton resigns the privy-seal—Other changes—Lord George Germaine made secretary for the American department—Nova Scotia petition—Petition of congress—Governor Penn examined at the bar of the lords—Motion of the duke of Richmond respecting it negatived—Mr. Burke's conciliatory motion—Lord North's prohibitory bill—Debates on it—Sentiments of the ministry—Treaties with German princes for troops.

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Proceed-
ings of the
Americans.

IN the mean time military preparations continued on the part of the Americans; no endeavors being omitted by their leaders to familiarise them with the notion of recurring to the force of arms, in publications and harangues. These, and the dispersion of the members of congress through the provinces, gave a decided preponderance to the popular cause; while the efforts of government were comparatively languid, and often deferred till the times of action had gone by. At first, indeed, a few assemblies, like that of New York, refused to admit the resolutions of congress; but they were soon induced to join the confederation; and at length, provincial and private meetings all spoke the same language, resistance to taxation external or internal, and to every other act of coercion. Pennsylvania, Virginia, Maryland, and Connecticut, which latter province boasted a park of forty cannon, were conspicuous in augmenting levies, and supplying them with stores from their domestic resources; but in Massachusetts, where the spirit of resistance was first displayed, the banner of revolt was destined also first to be unfurled. Its congress met on the fourth of May, and published an address to the people, stimulating their zeal, recommending encouragement to skilful artisans, denouncing those who supplied the royal troops with stores, exhorting the militia and minute-men¹ to acquire discipline as well as arms, and alarming all with declarations that government had resolved on a complete subjugation of the province: at the same time they contrived to repress every kind of outrage and violence; well knowing how important it is, at the commencement of civil wars and revolutions, to acquire a character of moderation, and to refrain from striking the first blow. General Gage's unsuspicious temper, his aversion to violent remedies, and the forbearance of his troops, instead of convincing the populace how reluctant those in authority were to draw the sword, rather encouraged them in opposition; and though the most daring spirits

¹ Persons who enrolled themselves under an engagement to be ready at a minute's warning.

had quitted the capital for the purpose of spreading discord through the country, numbers sufficiently hostile to the governor were left behind, to give intelligence of his projects, and to counteract his movements. This soon appeared on occasion of one of those expeditions which were sent out for the purpose of seizing arms and stores.

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The general, having had intelligence that a *dépôt* of ordnance had been collected at Salem, despatched a field-officer with a small detachment, for the purpose of securing it: these troops landed at Marble-head on Sunday, February 26, and were on full march to execute their orders; but a quick messenger had been sent before them; the artillery was withdrawn into the country; the people were dismissed from their churches; and, being provided with means of resistance, assembled at the drawbridge, which they raised as the troops approached. Colonel Pickering, who was at the head of the multitude and a small body of minute-men, told the British commander, that the stores were the property of the people, and would not be surrendered; on which the troops were ordered to secure a large gondola, and thus force a passage over the narrow stream: but the owner of the boat² beat a hole through its side, and let it sink to the bottom: it is said, that being wounded during this act by the soldiers, his was the first blood shed in the revolution. In the mean time, the parties were becoming so exasperated, that a conflict was momentarily expected; when a clergyman³ judiciously interposed to prevent such a catastrophe; assuring the British officer that he would not reach the place where the stores were deposited before night; and that if he should force a passage over the river, the spirit of the people was so determined, that he could not return without a dreadful carnage, which from the nature of the country would fall chiefly on his own men. Moved by these representations, the commander⁴ sent a message to colonel

Expedition
to seize
stores at
Salem.

² 'Joseph Sprague, at that time major of the Essex militia.'—Life of T. Pickering, in the American National Portrait Gallery.

³ 'The Rev. Mr. Barnard.'—Life of Pickering.

⁴ Said to be colonel Leslie, in the work above referred to.

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Pickering, pledging his honor, that if he would permit him to save appearances by passing over the bridge, he would return to Marble-head without attempting to seize the stores: on this, the colonel ordered the whole multitude to arrange themselves on both sides of the road: the drawbridge was let down; the British regulars marched through the silent ranks of the patriots; and having proceeded a few furlongs beyond them, counter-marched, recrossed the bridge, and returned to Marble-head, where they embarked that evening for Boston.

Affair at
Lexington,
&c.

This failure might have taught general Gage the policy of reserving his expeditions for very important occasions, or at least of sending a force capable of bearing down all opposition: yet the next was of a like nature; for having received information that a large quantity of stores and ammunition was collected at the town of Concord, about twenty miles from Boston, he determined to despatch the grenadiers and light infantry, under lieutenant-colonel Smith and major Pitcairne, to destroy it. Notwithstanding all precautions, there is reason to believe that this design had transpired; for the advance of the British was notified by the ringing of alarm bells and firing of guns along the whole tract of country through which they had to pass. On the nineteenth of April, about five o'clock in the morning, they arrived at Lexington, fifteen miles from Boston, where they perceived the militia drawn up for exercise; and major Pitcairne, riding up, commanded them as rebels to throw down their arms and disperse: but the latter part of this order only was obeyed; and while the Americans were retiring in confusion, a few guns were fired, by which one man was wounded and the major's horse shot. The British soldiers, thus irritated, returned the fire, killing eight men and wounding many others: having in the mean time been joined by the grenadiers, they continued their march to Concord, where they found a more numerous party of militia assembled on a hill, which commanded the town. The light infantry, sent to dislodge them from this position, drove them

over a bridge on the other side of Concord, where they kept them in check until the object of the expedition had been accomplished; after which, they retired from a sharp skirmish with the provincials, who had returned to the charge at the bridge, and began their march back toward Boston: the whole country, however, was now in arms; minute-men, militia, and volunteers, assembled from all quarters, and posting themselves behind walls and hedges, or stationed in houses, galled the British troops by an irregular fire, whilst a strong body pressed vigorously on their rear. It happened fortunately, that general Gage, foreseeing the danger, had despatched lord Percy, with sixteen companies and two field-pieces, who met his retreating countrymen at Lexington; where, having formed his troops into a hollow square, he enclosed the whole party, exhausted with fatigue, and gave them time for rest: the united detachments then recommenced their march, experiencing a foretaste of that destructive warfare, against which the best armies found it impracticable to contend; for the Americans, who were excellent marksmen, kept up an incessant fire from their places of ambush. Thus harassed and fatigued, the British battalions reached Charlestown about sunset; and crossing the ferry next morning, re-entered Boston, with a loss of sixty-five killed and 180 wounded. The provincials had about fifty killed and thirty-eight wounded: but their loss was more than compensated by this auspicious commencement of the contest, which excited both hatred and contempt for the royal troops, confirmed waverers, and afforded to the New Englanders a justifiable apology for raising troops. The language now used was,—that it was better to die as freemen than to live as slaves,—and the militia began to assemble so fast, that an army of 20,000 men was formed under the command of colonels Ward, Pribble, Heath, Prescott, and Thomas: these, fixing their head-quarters at Cambridge, extended a line of encampment of about thirty miles from that town, on the right, to Roxburg, and on the left to the river Mystic, which they strengthened with

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artillery: here they were soon joined by general Putnam, a brave and experienced officer, who had served with distinction in the last war; and who, as soon as he heard of the affair of Lexington, left his plough in the middle of the field, like another Cincinnatus; and without changing his clothes, took horse, and repaired to Cambridge.⁵ The provincial congress made great exertions to clothe and pay this besieging army, voting a large sum in paper currency, for the redemption of which the faith of the province was pledged: they also drew up an address to the people of England, complaining of the conduct of our troops, professing great loyalty, but appealing to Heaven for the justice of their cause, and declaring their determination to die rather than sacrifice their liberty: nor were the other provinces backward in exhibiting a like spirit. At New York the populace seized the magazine of arms, instituted military associations, and called a provincial congress: in New Jersey they took possession of the treasury; and even the quakers of Philadelphia, renouncing the principles on which they had hitherto acted, took up arms as volunteers, under the pretence of self-defence.

In this state of ferment, lord North's conciliatory propositions arrived, and were read first in the assembly of Pennsylvania by governor Penn, who expressed an anxious wish that its members would take into deliberation terms dictated by equity and moderation, and become, if possible, instrumental in restoring tranquillity to their country. Unmoved however by this appeal, the house determined unanimously not to desert that union to which they were pledged; established as it was on just principles, and conducted by general counsels: they considered the prosperity of their own province as intimately connected with that of the colonies in general; and though they deprecated civil war, they thought that the subversion of American

⁵ It is said, that general Gage, unwilling to have so valuable an officer opposed to him, privately sent a proposal, that if he would quit the rebel party, he might rely on being made a major-general in the English service, and receive a large pecuniary reward: but the offer was indignantly spurned.—Life of Putnam, in the American National Gallery.

liberty would be a still greater evil. Other colonial assemblies urged different arguments against the reception of propositions, which were regarded universally as a scheme for dissolving the national union: all concurred in referring them to the general congress; but this was in itself a rejection, since its legality and authority never could be acknowledged by the British government.

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On the tenth of May, congress met at Philadelphia, in defiance of a prohibition from the British secretary, lord Dartmouth, directed to the provincial governors. Its first acts were to frame resolutions for the organisation of an army, and for the emission of a paper currency, guaranteed by the united colonies;—to stop all exportation of provisions to British fisheries, and to every colony or island, which continued obedient to the British government;—to resolve, that, by violation of their charter, the people of Massachusetts were absolved from allegiance to the crown, and might lawfully establish a new government;—to prohibit the negotiation of bills of exchange, or any orders issued by officers of the army and navy, agents, or contractors;—and to stop all supplies for British forces by land and sea: it also established a general post-office, under the superintendence of Dr. Franklin. That celebrated man, who was a member of this second congress, had been strenuously engaged ever since his arrival in America, stimulating his countrymen to action, and forwarding the march of revolution.⁶ It was by his suggestion that paper money was adopted; and by his strong representations the people acquiesced in a measure, without which the resistance to Great Britain must have been feeble and short.⁷ A few

Meeting of
general
congress.

* The following account of the employment of his time, extracted from his correspondence, will show with what spirit the cause was taken up by its leaders:—
'My time was never more fully employed: in the morning, at six, I am at the committee of safety, appointed by the assembly to put the province into a state of defence; which committee holds me till near nine, when I am at the congress; and that sits till after four in the afternoon: both these bodies proceed with the greatest unanimity, and their meetings are well attended. It will scarcely be credited in Britain, that men can be as diligent with us from zeal for the public service, as with you for thousands per annum. Such is the difference between uncorrupted new states, and corrupted old ones.'

⁷ The first emission of 3,000,000 of dollars took place on the twenty-fifth

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days after the meeting of congress, Peyton Randolf, its first president, retired; and his situation was conferred on John Hancock of Boston. Georgia now added itself to the confederacy, which from this time assumed the appellation of 'The Thirteen United Colonies.'

An address was drawn up to the people of Great Britain; and a declaration of reasons for taking up arms; also addresses to the inhabitants of Canada, Jamaica, and Ireland; and a second petition to the king. In the first of these papers, they vindicated themselves from the charge of aiming at independence, professed a willingness to submit to the acts of trade and navigation passed before 1763, recapitulated their reasons for rejecting lord North's conciliatory propositions, and intimated to the inhabitants of England the hazard they would run of losing their own liberty, if their American brethren should be overcome. In their declaration, they enumerated the injuries which they had received, and the methods taken by British ministers to compel them to submit. 'We have counted, however,' said they, 'the cost of this contest, and find nothing so dreadful as voluntary slavery:' nor did they fail to insist on the facility of obtaining foreign assistance. In the petition to his majesty, it was stated, 'that notwithstanding their sufferings, they retained too high a regard for the country from which they derived their origin, to request such a reconciliation as might be inconsistent with her dignity and welfare. Attached to his majesty's person, family, and government with all the devotion that principle can inspire, connected with Great Britain by the strongest ties that can unite society, and deploring every event which tended to weaken them, they fervently desired harmony not only to be restored, but established on a basis so firm as to perpetuate its

of July, 1775, under a promise of exchanging the notes for gold or silver in the space of three years: toward the end of 1776, 21,000,000 more were put into circulation. Congress began to be uneasy, not knowing how it would be possible to redeem so large a sum, and consulted Franklin, who made the following reply:— 'Do not make yourselves unhappy: continue to issue your paper money as long as it will pay for the paper, ink, and printing: and we shall be able by its means to liquidate all the expenses of the war.'—Memoirs, vol. ii. p. 10.

blessings uninterruptedly to succeeding generations. They prayed therefore that his majesty would be pleased to point out some method by which the united applications of his faithful colonists to the throne, in pursuance of their common councils, might be improved into a happy and perfect reconciliation.' It was supposed that something like a Magna Charta was hinted at in this latter clause: when the petition however was presented by Mr. Penn and Mr. Lee, they were informed that no answer could be returned to an illegal assembly; and nothing contributed more than this slight to cement the union of the colonists.

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In the mean time, 10,000 fresh troops arrived from Britain, under the command of generals Howe, Burgoyne, and Clinton; the last of whom had served under Prince Ferdinand in the seven years war, so as to acquire the esteem of that illustrious commander. But though a large portion of this reinforcement had entered Boston, that capital was still blockaded by the provisional army, and reduced to considerable distress: at length, however, general Gage, as a last effort to restore tranquillity without bloodshed, issued a proclamation, in which, after describing the many unjustifiable acts of the provincials, and complaining of their blockade, he promised pardon to all who should return to their duty: but from this immunity he chose to except Samuel Adams and John Hancock, as the chief firebrands of sedition; 'their offences being too flagitious to admit of any other consideration than that of condign punishment.' He also denounced their adherents, with all who refused to lay down their arms, as rebels; and since the common law of the land was suspended, he proceeded to proclaim martial law until tranquillity should be restored.

As this proclamation was considered an immediate prelude to hostilities, preparations were made by the colonists for a final contest with that country which had planted them in America, and raised them to maturity; a country, with which they were connected by the ties of consanguinity, religion, laws, and language; which they had been taught to consider as the

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first in the world; a country rich and powerful, with immense armies skilfully commanded, and fleets crowned by victory. This mighty nation they dared to oppose, without money or arms, without an army or navy: but their own ingenuity soon supplied them with military resources, and Providence had blessed them with a rich harvest of stout hearts and clever heads, wanting nothing but experience to render their names illustrious in the annals of the world. Whatever may be thought of the motives and origin of the war, England herself has reason to be proud of many among her intractable children; one of the bravest of whom particularly signalised himself in the action about to be described.

Battle of
Bunker's-
hill.

A height, called Bunker's-hill, at the entrance of the peninsula of Charlestown, was considered an object of importance to both parties: a resolution was accordingly taken in a provincial council of war, at which general Putnam assisted, to establish a fortified post there; but when they came to execute this plan, by some mistake the intrenchments were thrown up on Breed's-hill, an eminence, like the other, not far from Boston. By unremitting diligence through the night of June 16, a redoubt was constructed, unobserved by the British in their ships of war, which, at daybreak, commenced an incessant fire on the workmen: the provincials sustained this with intrepidity, and continued to labor until they had completed a breastwork and intrenchment extending from the eastern side of the redoubt to the bottom of the hill. As this eminence overlooked Boston, a resolution was immediately taken to attack it; and a detachment of 3000 select troops were ordered out under major-general Howe, and brigadier-general Pigot. Having landed at Moreton's-point, they formed in two lines, and advanced slowly; that on the right under Howe, to attack the intrenchment; and that on the left under Pigot, to storm the redoubt. The troops, being suffered to form, halted at intervals, in order to give their artillery time for demolishing the American works; while thousands, both within and without Boston, regarded the scene

with various emotions. As the British moved slowly, the provincials had an opportunity of taking aim: the latter also reserved their fire till their adversaries were within a short distance, when their volleys were so quick and skilfully directed, that the royal troops recoiled and fled: their officers however rallied them, and again they were received with a most destructive fire; while the veteran Putnam was seen riding from front to rear, animating officers and men, and threatening to cut down the first who should disobey orders.

During the second attack, one of those occurrences took place which tend to soften the rugged features of war, and especially demand the notice of an historian. As the British troops advanced, the Americans were ordered by Putnam not to fire, 'until they could see the white of their adversaries' eyes; and then to aim low at their waistbands:' the effect of this discharge was so terrible, that the gallant major Small was left standing alone, every one being shot down around him: the unerring muskets were then directed at him, and his fate appeared inevitable: but it is fitting that the remainder of the story should be told in the major's own words:—'I glanced my eye toward the enemy, and saw several young men levelling their pieces at me: I knew their excellence as marksmen, and considered myself gone: at this moment, my old friend Putnam rushed forward, and, striking up the muzzles of their pieces with his sword, cried out, 'For God's sake, my lads, don't fire at that man; I love him as my brother.' We were so near to each other, that I heard his words distinctly: he was obeyed: I bowed, thanked him, and walked away unmolested.'⁸

The provincials in the mean time had taken possession of Charlestown, so that general Pigot was obliged to contend with them there as well as at the redoubt:

⁸ These words were addressed by colonel Small in 1786 to colonel John Trumbull, afterwards president of the American academy, who was employed in painting a picture of this celebrated battle. Looking at the picture, he said, 'I don't like the situation in which you have placed my old friend Putnam: you have not done him justice: I wish you to alter that part of your painting, and introduce a circumstance which actually happened, and which I can never forget.' He then related the anecdote.—See Life of Putnam, in the American National Portrait Gallery.

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at this crisis, general Clinton, from the opposite point, seeing the distress of our troops, volunteered his services to carry over a reinforcement, and with general Howe brought them back to the charge: thus animated the soldiers rushed to the assault with fixed bayonets, and drove the provincials from their works, as well as from their shelter in Charlestown; which place was fired and burnt down during the heat of the engagement. The British loss consisted of 226 killed, and 828 wounded; while the Americans, by their own accounts, had 304 wounded, and 145 slain: among the most lamented of these was Dr. Warren, a physician, who acted as a major-general, and commanded in the redoubt.

As no pursuit was ordered, the provincials suffered but little during their retreat, except in marching over Charlestown-neck, which was raked by the Glasgow man of war: the English advanced no farther than Bunker's-hill, where they threw up works for their own security; while the Americans did the same on Prospect-hill in front of them: each party had well sustained its character; and though the royal troops claimed the honor of victory, it was dearly bought, and the real advantage remained with their antagonists: these had measured their strength against the dreaded superiority of regular forces, and had no reason to be dismayed at the result: the blockade of Boston was continued; and the appointment of a commander in chief, selected for his high and able qualities by the congress, promised to add consistency and effect to their future operations.

Appoint-
ment of
Washing-
ton as com-
mander in
chief.

George Washington, called by his fellow citizens to that honorable and responsible office, was a Virginian gentleman of affluent fortune, who had distinguished himself in the Canadian war; particularly on the day of Braddock's defeat, when, at the head of the provincial militia, he covered the retreat of the British troops, and saved them from destruction. From the fields of his early fame he had turned his attention to the peaceful pursuits of agriculture, on the banks of the Potomac; where he diligently employed himself in

improving the estate of Mount Vernon, which he had inherited from his mother. He is proved by his correspondence to have been sincerely desirous of preserving unbroken the ties of allegiance which bound the colonies to their parent state: but when the rupture was inevitable, and the voice of his country called her sons to deliberate and to act for the preservation of their independence, Washington relinquished his favorite occupations, and joined the first congress at Philadelphia: his high character, and the conspicuous part he had borne in the late war, caused him to be included in all committees where military knowledge was requisite; and when it became necessary to select a commander in chief, he was unanimously chosen by his colleagues: he accepted the office with great diffidence, and declined all compensation beyond the payment of his actual expenses.

The man whom his country thus honored, by placing him in the front of danger, and entrusting him with a commission unexampled for the difficulties, the anxieties, and the high destinies that it involved, seems to have been one of those characters raised up by Providence for the accomplishment of great designs: his distinguishing qualities, which never could have been expected to meet in one man, were all peculiarly adapted to the emergency which called him forth. He was of a grave and sober temperament, of a reflective and deeply calculating turn of mind;⁹ somewhat stern in demeanor, inflexible to the weakness of others, and inexorable in his purposes of public duty; yet strictly just; and when justice was satisfied, humane and generous: he was habituated to view things on all sides, to consider them in all relations, and to trace all the probable consequences of proposed measures. Possessed of a penetrating genius, and an activity that never flagged, he was ever meditating on schemes of public safety, or engaged in executing what his sagacity had contrived. When the army was at rest, its commander was in motion: the most distant stations, the fittest places for offensive or defensive operations, the secret

* See his correspondence *passim*.

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agents of his midnight counsels, were visited by him in person; and the wild woods of America, her rocky caves, and mountain sides, were silent witnesses of his indefatigable exertions. With integrity to withstand all temptations, and magnanimity to resign all private interests, for the public welfare, he possessed the art of persuading others to follow him in the same narrow and difficult path of duty; and as no temptation could seduce him, so no difficulties, no losses, no sufferings, no defeats, could shake his fortitude or distract his counsels. Though the gloom which for a long period hung over his country's fate, communicated itself to her commander, and chased all appearances of hilarity from his brow, he never despaired of her ultimate success. If indeed Washington had deserted her cause, her glory had been extinguished; if Washington had been induced by rash counsels to make a false step, the American armies had been undone: but unmoved by difficulties or dangers, obloquy or praise, he waited patiently for the times of action; and like the celebrated Roman, saved his country by caution, vigilance, and delay. In addition to his high mental endowments, nature had given him a robust constitution, a capability of enduring fatigue almost unexampled, a countenance of heroic cast, and a stately figure, which seemed, as it were, expressly formed for command. If we consider the power that he opposed, the various interests that he united, the trials that he underwent, the policy that he displayed, and, above all, his characteristic modesty, his disinterested patriotism, and those high moral and religious feelings that adorned his life, where shall we find a parallel for the soldier and statesman of America?

His prudent arrangements.

As soon as Washington was invested with supreme command, he repaired to the camp. The congress of New York presented him with an address, principally relating to the preservation of the rights of citizenship; to which this great and good man made the following reply:—‘When I assumed the character of the soldier, I did not forget that of the citizen; and I look forward with pleasure to an auspicious period,

when, the rights of my country being secured, I may retire to the sweets of peaceful tranquillity under protection of the law.' Arriving at Cambridge, he entered on his duties early in July; when the British army under general Howe, was intrenched in two divisions, at Roxburyneck and Bunker's-hill: the Americans were encamped on numerous hills and eminences, forming a complete line of siege round Boston and Charlestown, extending nearly twelve miles, from Mystic river to Dorchester: their commander found himself at the head of about 15,000 men, variously armed, without artillery or tents, commissaries or quarter-masters; with a very small supply of bayonets and powder: the officers, with few exceptions, were without experience; most of the soldiers undisciplined, and all unversed in military tactics.

Complaining of his numerous deficiencies, he thus wrote to congress:—'We have no store of ammunition, no tools for intrenching, no engineers to direct the construction of military works: we have no money, and we want clothing: there is a total laxity of discipline; and the majority is not to be depended on in the event of another action.'

These defects were to be remedied before offensive operations could be undertaken; while great discontent in the army, on account of partiality in the appointment of officers by congress, existed: such an emergency demanded all the wisdom, perseverance, and firmness of Washington; and although he was indefatigable, the organisation of his troops occupied the summer and autumn.

Dividing his army into three divisions, he appointed major-general Ward to the right, and major-general Lee¹⁰ to the left, himself remaining with the centre at Cambridge: and having, on his arrival, found the indefatigable Putnam engaged in carrying on the necessary defences, and being attracted by the activity and frank disposition of that excellent officer, he placed

¹⁰ A British officer of great talent, but of a restless and eccentric disposition, who had served during the late war with distinction in Portugal. He now resigned his commission in the British service, to serve in the American cause: he was by a considerable party thought to be the author of Junius's Letters.

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him over the reserve. The wise plans of Washington were all aided by the remissness of the British commander, who, though apprised of the forlorn state of his opponents, declined offensive operations; and treated the information given to him of their distress, as a lure to draw him into some hazardous enterprise: the season, therefore, passed away without any transaction of importance. On the tenth of October general Gage was recalled; when the command of the British troops devolved on Howe.

Both the assembly of Massachusetts and the continental congress resolved to fit out armed cruisers for the limited object of intercepting military stores and supplies destined for the British forces; but as prospects of accommodation vanished, it was extended to all British property afloat on the high sea. The Americans were very diffident of their powers on this element; but fortune smiled auspiciously on their first efforts: for on the twentieth of November, the Lee privateer, captain Manley, took an ordnance vessel containing a large mortar, several pieces of brass cannon, a great quantity of arms and ammunition, with various tools and machines necessary for a camp. If an order had been given for supplies, nothing more useful could have been sent to the colonists; and a short time only elapsed before the same officer captured several other ships conveying stores to the British army. By these means considerable distress began to prevail among the troops in Boston; and naval captures, being unexpected, became a matter of triumph to the Americans, as well as of service to their cause.

Successful
expeditions
against Ti-
conderoga
and Crown
Point.

Early in the year some important enterprises had been undertaken in a different quarter. A party of Connecticut gentlemen, having procured a loan of public money, concocted a scheme for surprising the important post of Ticonderoga, situated on a promontory near the junction of lakes George and Champlain, and the key of communication between New York and Canada. Having procured ammunition, and raised 270 men, mostly of a hardy race called green-moun-

tain boys, they proceeded to Bennington, and placed themselves under colonel Ethan Allen: there they were unexpectedly joined by colonel Arnold, who, after the battle of Lexington, had received from the provisional congress of Massachusetts a commission to raise 400 men for the same purpose. He agreed to act under Allen; and in the night of the ninth of May they arrived at lake Champlain, crossed over with eighty-three men, and surprising the commander in his bed, ordered him to deliver up the fortress. 'By what authority do you make this demand?' said captain de la Place. 'I demand it,' replied Allen, 'in the name of the Great Jehovah, and of the congress.' Resistance being useless, none was made; the place was taken before the boats which had been sent back could return with reinforcements; and a store of ammunition and provisions fell into the hands of the captors. The reduction of Crown Point, situated at the southern extremity of lake Champlain, was also speedily effected; and their next object was to obtain the command of that lake itself; to effect which, it was necessary to possess the Enterprise sloop of war, which lay at St. John's, near its northern extremity: for this purpose a schooner lying at South-bay was manned; and colonel Arnold, taking the command, set sail, carried the sloop by surprise, and returned with his prize to Ticonderoga; where, on the departure of Allen, he consented to remain in garrison.

Intelligence of these events was in a few days conveyed to congress. Though they rejoiced in the spirit of enterprise exhibited by their countrymen, they still feared lest they might be charged with aggression, at a time when they were expressing a unanimous desire of accommodation: they therefore recommended the committees of New York and Albany to remove all stores to the south of lake George, 'in order that they might be safely returned, when the restoration of harmony between Britain and her colonies, so ardently desired by the latter, should render it consistent with the overruling law of self-preservation.'

Colonel Arnold, having begun his career with such

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success, was urged by this, and his natural ardor, to project more extensive operations. On the thirteenth of June he strongly pressed on congress the advantages of an expedition to Canada; offering, with 2000 men, to reduce the whole province. In his zeal to oppose Great Britain, he advised an offensive war even before an army had been organised; and his recommendations were adopted.

General Carleton, their governor, having in vain attempted to induce the Canadians to assist him in recovering Ticonderoga and Crown Point, soon found himself obliged to act on the defensive. The management of these northern affairs was committed to generals Schuyler and Montgomery; and those officers, after issuing an address to the inhabitants, assuring them, 'that the sole views of congress were to restore rights to which every British subject, whatever may be his religious faith, is entitled,' proceeded with 1000 troops, and on the tenth of September landed at St. John's, the first British post in Canada, lying 115 miles north of Ticonderoga; but the fortifications being found stronger than had been supposed, a council of war was called, and a retreat recommended to Isle aux Noir: there general Schuyler was obliged to retire from service on account of ill health, and the command devolved on Montgomery. This officer then returned and opened a battery against St. John's; but his ammunition failing him, he advanced against fort Chamblée, by the reduction of which he procured six tons of gunpowder. As the garrison persevered in resistance, governor Carleton collected 800 men, and set out to their aid; but was prevented from crossing the St. Lawrence by colonel Warner with 300 green-mountain boys and a four-pounder. Seeing no farther hope of succor, the commander of St. John's surrendered the fort, and general Montgomery proceeded against Montreal: the few British forces stationed at that place endeavored to escape down the St. Lawrence; but were intercepted by colonel Easton at the point of Sorel river, where eleven vessels fell into the hands of the provincials. As Montreal, which at this

time surrendered to general Montgomery, enjoyed an extensive trade, the American troops obtained a supply of proper clothing; after which, their commander, having secured the good will of the inhabitants by his liberal treatment of them, advanced toward the capital.

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About the same time that Canada was invaded from this quarter, a detachment from the American army at Cambridge was sent on a similar expedition, under colonel Arnold; who conducted them to that royal province by a new route over the inhospitable deserts of the northern states. The invincible spirit with which this hardy band overcame the difficulties of their expedition, acquired for its commander the appellation of the American Hannibal. After having been long subjected to the extremes of cold and hunger, reduced even to eat the leather of their shoes, they arrived at Point Levy on the eighth of November, while general Montgomery lay at Montreal. Such was the consternation of the garrison at their unexpected appearance, that the intervention of the river probably saved it from capture; especially as general Carleton was absent. In a few days an attempt was made; when colonel Arnold passed the St. Lawrence: but the panic occasioned by his first arrival was now abated; the inhabitants united together for their common safety; the sailors from vessels in the river were called in to man the batteries; and as the American chief had no artillery, he drew off his troops from the heights near Quebec, purposing nothing more than to cut off supplies from the garrison till the arrival of Montgomery. In the mean time, general Carleton, having escaped in a boat with muffled paddles through the Americans at Montreal, arrived in safety at Quebec; and the affection borne to his person as well as the confidence reposed in his talents, stimulated all to make a determined resistance.

On the first of December, a junction of the two American detachments was effected at Point aux Trembles, and the siege at Quebec commenced; but the fortune of war began to turn against the provincial

Unsuccessful
assault
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commanders: dissensions broke out among the officers; the money furnished for the expedition was nearly exhausted; while the severity of winter, and difficulties of every kind were increasing: under these circumstances, general Montgomery, being convinced that the siege must be raised, or brought to a conclusion, determined on storming the place, though success was scarcely possible; for a third part of Arnold's detachment had returned to Cambridge, and many of his own men were left at Montreal. Having divided his army into four companies, he directed two feints against the upper town, reserving to himself and Arnold the two principal attacks on the lower town. On the thirty-first of December he advanced, and passed the first barrier; but as he was on the point of attacking the second, he was shot dead, with his aide-de-camp and several other officers; which so dispirited the men, that colonel Campbell, on whom the command devolved, immediately retired. In the mean time, Arnold, having passed through St. Roch, approached a two-gun battery without being discovered, and carried it, though with considerable loss; but being severely wounded, was borne off the field: his party, however, pushing on, gained possession of a second barrier; when finding themselves hemmed in, they were obliged to capitulate: 100 are reckoned to have fallen, and about 300 to have been taken prisoners: the conflict being over, all exasperation gave way to better feelings, and the Americans who had surrendered were treated with great humanity. Few men ever fell more regretted than Montgomery:¹¹ his body was solemnly interred by Carleton, whose own magnanimity led him to acknowledge that of an enemy: but notwithstanding the loss of this officer, and the wound which Arnold had received, the latter contrived with the remnant of his troops, to continue the blockade, which reduced the city to great distress.

¹¹ The esteem in which his memory was held by Washington may be inferred from the following circumstance, as related in the life of Mrs. Washington:—
'When ladies called at the president's mansion, the custom was for the secretaries and gentlemen of the household to hand them from and to their carriages; but when the honored relics of Greene and Montgomery came, the president himself performed these complimentary duties.'

It is now requisite to take a transient view of affairs in some of the other colonies. Lord Dunmore, governor of Virginia, had lost all his former popularity, by efforts to maintain the royal cause, and by the publication of his correspondence with lord Dartmouth, in which he severely analysed the motives and conduct of the province in resisting its mother country. After being engaged in disputes with the colonists, assailed with vehement invectives, and threatened with open violence, he removed his lady and family on board the Fowey man of war, fortified the government house, and surrounded it with artillery: the ferment, however, soon became so excessive, that he was himself obliged to go on board; and he attempted, but in vain, to transfer thither the sittings of the assembly. His lordship having thus divested himself of authority, collected a small naval force, and carried on a sort of predatory warfare against the province, proclaiming martial law, requiring all persons capable of bearing arms to join the royal standard, and giving freedom to negro slaves willing to serve against their masters; a measure, which, without producing any advantage, since the province was in a state of defence, excited the utmost irritation and resentment throughout the colony. Having hoisted the royal standard at Norfolk, which place he was soon obliged to evacuate, he again retired on board ship, attended by so many loyalists, that provisions began to fail; and being denied all supplies by the republicans, who were now in possession of that flourishing town, he cannonaded it, and set fire to the wharfs; by which means it was reduced to ashes, and property consumed to the value of £300,000. This act totally alienated the Virginians from the British government; and lord Dunmore, after sending the liberated slaves to Florida and the West Indies, joined the army under general Howe. So important, however, was Virginia to Great Britain, that means were set on foot to recover it; and an extensive scheme was arranged by one Connelly, a native of Pennsylvania, for attacking this and the other southern colonies from the interior, where the

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people were known to be loyal; for which purpose the garrisons of Detroit and other inland posts were to be assisted by Indians and Canadians: but the contriver of this plan, being betrayed by his confidential assistant, was seized, sent to Philadelphia, and treated with great rigor; while the publication of his papers and plans materially served the cause of independence. A similar failure attended the application of sir James Wright, governor of Georgia, made to general Gage, for the co-operation of a small military force, by which the colony might easily have been kept under subjection. Intelligence having been given to some agents of congress, his messenger was waylaid, his despatches seized, and others forwarded, of a contrary tendency; but so nicely forged, as completely to deceive the person to whom they were addressed.

Governor Martin and lord William Campbell, having adopted a policy similar to that of lord Dunmore, withdrew for safety on board the king's ships. In Maryland, the wisdom and humanity of governor Eden prevented all such violent proceedings; and when the British authority was superseded, he retired from the colony with the esteem of all parties. In Pennsylvania a strong military association was established; and one common spirit pervaded the united provinces of America.

Spirited
conduct of
the Ame-
ricans.

The principal scene of hostilities was still confined to Massachusetts; where, in the course of predatory hostility, the town of Falmouth was cannonaded and totally destroyed, in revenge for some offence relating to supplies, and on the refusal of its inhabitants to deliver up their arms. In return for this injury, the assembly passed an act dated November 13, 1775, granting letters of marque and reprisal, and establishing courts of admiralty for the trial and condemnation of British ships. Congress also determining to meet the force of England on her own element, issued orders for building five ships of thirty-two guns, five of twenty-eight, and three of twenty-four. The garrison of Boston was maintained by supplies from Great Britain, a proportion of which was in-

tercepted by American cruisers: the town continued blockaded through the winter; and the troops, especially those in the outer defences, suffered dreadfully from the severity of the season: nor did the inhabitants escape their share of calamity, which was considerably augmented by several severe edicts issued by general Howe.

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Altogether the transactions of this year were favorable to the American cause: much had been done to excite the colonists and to cement their union; but very little in the way of conquest: measures of coercion had been met with firmness; conciliatory propositions had been rejected; and such masters of political intrigue had these republicans showed themselves, that with sentiments of loyalty constantly on their tongues, they advanced rapidly in the cause of revolt. The result of their military operations, even the gallant bearing of their little army in Canada, though unsuccessful, inspired them with confidence; the expulsion of the royal governors from the southern colonies left them free to act; the valor and skill of many officers afforded exhilarating prospects for the future; while the appointment of Washington, who obtained the affection and confidence of all ranks, was in itself a tower of strength.

In Britain, the arguments which were brought against the policy adopted by government after the termination of the contest, were at this time rarely heard: the cause of the mother country, being considered just, was therefore popular; and as the Americans were generally deemed rebels and cowards, coercion was thought expedient and easy; while those who vindicated their resistance were met by a charge of entertaining levelling principles and hostility to monarchical government: most people imagined, that the grand object of ministers was to raise a revenue from the colonies; and as few doubted the issue of the contest, a reduction of taxes by that measure was still a pleasing object of hope to the country gentlemen: this ignoble desire on their part, national pride, and the king's determination to preserve the prero-

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gatives of his crown, were the main supports of lord North's administration.¹² Nor was the loss of American trade much felt at present: considerable remittances had been received before the ports were closed; peace between Russia and Turkey had occasioned large orders for British articles in the Baltic and Levant; while great demands attending the commencement of hostilities gave energy to commerce: hence it happened, that numbers, even of British merchants, were induced to join in praise of administration; and in loyal addresses, sent up from all parts of the kingdom.

Political discussion as might be expected at such a period, ran high, and tended greatly to revive the distinction of whigs and tories: a few of the former class considered opposition to parliamentary authority as a deviation from the true doctrine of whiggism; but the greater part thought that its essence consisted in resisting arbitrary measures: while the sentiments of the tories favored despotic power, the opinions of the whigs were of too republican a cast. 'On viewing the reasonings for and against taxation,' says an acute observer,¹³ 'as contained in the parliamentary debates and political treatises of the times, a reader may perceive a striking difference. The supporters chiefly argued from alleged instances, the opponents from general principles: the promoters pointed out certain cases in which British subjects were taxed without their own consent; whereas their adversaries contended that it was a fundamental rule of the British constitution, that no supply should be granted but by the people or their delegates; that the exceptions confirmed the principle; and if certain classes submitted to be under the exception, others were not obliged to follow their example. The Americans, said the ministerial

¹² In the king's correspondence with lord North in September, November, and December, 1774, he said, 'The die is cast; the colonies must either triumph or submit. Blows must decide whether they are to be subject to this country, or independent;' and many other expressions in favor of coercive measures and rigor appear, proving his majesty's own determination and his opinion that lord North required exhortation to keep him steady in the pursuit of his object—the subjection of America.—See Spark's *Life of Washington*, Appendix to vol. i. p. 459.

¹³ Dr. Bisset, in his *History of the Reign of George III.* vol. ii. p. 296.

party, are as much represented as many inhabitants of Britain who have no vote. To this two answers were returned: first, that every Briton is virtually represented, since the laws that bind him, bind also the legislators: secondly, the premises were admitted, but not the conclusion; that because within this realm many without being represented paid taxes, therefore the Americans were bound to do the same. The wisest and best of the anti-ministerialists dwelt less on the abstract question of taxation; they insisted chiefly on expediency: we had gained much, and might gain more, from the increasing prosperity of the Americans, without taxation; we were losing much, and were likely to lose a great deal more, by the attempt to extort a revenue: it was our interest to return to the policy which produced gain, and abandon the counsel which produced loss.'

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If we did not know how strong the powers of prejudice are in overcoming the arguments of sound policy, we should feel more astonishment at the prevalent disposition of the king, ministers, parliament, and people of Britain, at this momentous period: that the opportunity of creating popular commotion, and of raising themselves into celebrity, should have been seized on by factious demagogues, need not at all surprise us. The first collision in arms brought out all the mock patriots of the metropolis: the 'Society for Constitutional Information,' formed from the wreck of the 'Bill of Rights' club,' immediately held a meeting; and the rev. John Horne, first the supporter, next the rival, and now the successor of alderman Wilkes in popular favor, moved, 'that a subscription be raised for the relief of the widows, orphans, and aged parents of our American fellow-subjects, who, preferring death to slavery, were, for this reason only, *murdered* by the king's troops at Lexington and Concord, on the nineteenth of April, 1775.' A vote of the society for £100 was carried, and the money ordered to be transmitted to Dr. Franklin: but as the other members, comprehending the peril, hesitated to sign this order, Horne boldly took on himself the responsibility, and affixed

Prosecu-
tion and
trial of
Horne
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his name to it: for this he was prosecuted; and was sentenced to pay £200; to be imprisoned one year, and to find securities for three; but his vanity was gratified by the opportunity of making a sarcastic speech, and his hopes were elated by the prospect of rising on the public discontents.

The offence of Horne was a direct challenge to government, whose authority must have been diminished, if it had refused to notice such an insult: its conduct, however, was open to much animadversion, when Mr. Sayre, an American merchant, was committed to the Tower on a contemptible charge of high treason. The grounds of it were not specially declared; but report said, that he had formed a design to seize the king at noon-day, in his way to the house, to carry him out of the kingdom, occupy the Tower, and overturn the government; to effect all which, he had bribed two guardsmen, each of whom engaged to gain a file of privates. The evidence for this accusation was Mr. Richardson, an adjutant in the guards, who declared on oath, that Mr. Sayre had intimated such intentions; lord Rochford therefore committed him to the Tower, where he was kept five days; but at the end of that time, he was let out on very slight bail: no prosecution was attempted; the bail was discharged; and Mr. Sayre, having sued lord Rochford for illegal imprisonment, recovered £1000 in damages.

Meeting of
parliament.

The two houses assembled on the twenty-sixth of October. The king's speech alluded to the revolt of the colonies; and especially to the illegal acts of certain persons, who had assumed to themselves legislative powers, which they exercised in the most arbitrary manner. His majesty commended the disposition of parliament during the last session, as manifesting a desire to reclaim rather than subdue; and he expressed his own anxiety, had it been possible, to have prevented the effusion of blood: he had hoped that his American subjects would have perceived the traitorous designs of their leaders, and been convinced that to be a subject of Great Britain, with all its con-

sequences, is to enjoy the highest degree of civil freedom. He spoke of friendly offers which had been made of foreign assistance; and of having sent Hanoverian troops to Gibraltar and Port Mahon, to replace such British regiments as should be drawn from those garrisons for service in America: he also professed his readiness to receive the deluded multitude with tenderness, on the confession of their faults: and to prevent inconvenience, he would give a discretionary power to commissioners to grant general pardons; suggesting the propriety of authorising such persons to restore to any submissive colony the exercise of its trade. Finally, he informed both houses, that he saw no probability of any impediment to his measures from the hostility of foreign powers.

An amendment to the address was proposed by lord John Cavendish; in which the principle and conduct of the contest was vehemently arraigned. The facts assumed in this speech were declared to be untrue; the confiding such important fortresses as Gibraltar and Port Mahon to foreigners was strongly condemned; and the idea of conquest exposed to ridicule. Colonel Barré censured the conduct of the campaign. Mr. Fox observed, that lord Chatham, Frederic of Prussia, or Alexander the Great, never gained more in one year than our government had lost—for it had lost a whole continent. General Conway, though an adherent of the ministry, would not support all its measures; for he reprobated the idea of conquering America, declared himself against the right of taxation, and wished to see the declaratory act repealed.

In answer to these objections, the necessity of regaining our colonies was maintained: government had anxiously attempted to do this by the civil power, through a love of lenity; but it now designed to send out an ample force, with a sufficient fleet to ensure subjection. The extravagant pretensions of the colonial assemblies, as well as of the general congress, and their encroachments on all the rights of the parent state, were amply exposed. With regard to revenue, parliament had often declared, that

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it would never tax the Americans, unless they refused to contribute a due proportion to the expenses of the state: they knew that a reasonable sum would be accepted; but would not, to gratify their mother country, offer a single shilling. Lord North observed, that to repeal all the acts passed since 1763, must indeed terminate the dispute; for it would at once raise America to independence: at the same time he vindicated those acts from the charge of injustice.

The marquis of Rockingham moved an amendment similar to that in the commons; but earl Gower avowed that the administration had been misled during the late events in America: New York, he said, had been forced into hostile measures by the insurgents of Connecticut; and he predicted, that if the friends of government were well supported by a force from this country, the colonies might soon be brought to a sense of their duty, without any scenes of misery and bloodshed.

The rashness of these predictions was exposed by the earl of Shelburne, who advanced it as a plain fact, 'that the commerce of America was the vital stream of this great empire:' at the same time, while he looked to the independence of that country as the result of the contest, he confessed that such independence would be the ruin of Britain.

The duke of Grafton, though he did not concur in the amendment, expressed sentiments directly hostile to administration. His apology for having supported them, by alleging that he had been deceived, was not very creditable to one who had so long guided the helm of state: nor was it a proof of judgment to declare, 'that he had concurred when he could not approve; from a hope, that in proportion to the strength of government, would be the probability of an amicable adjustment.' The amendment was negatived by a large majority; but a protest was signed by nineteen peers.

After the delivery of such opinions, the duke of Grafton could not long remain in the cabinet: his grace, however, was not the only member of admi-

nistration who differed with his colleagues on the subject of American taxation. Lord Barrington, who was perhaps most of all men abused for the part which he was supposed to take in its promotion, is proved to have been most earnest in laboring to avert it: his observations and remonstrances at this time, both to the ministers and to the king, are very creditable to his sagacity. In a letter to lord North, dated August 8th, 1775, he says, 'as it is the measure of government to have a large army in North America, it is my duty and inclination to make that measure succeed to the utmost; though my opinion always has been, and still is, that the Americans may be reduced by the fleet, but never can be by the army.'¹⁴ To the earl of Dartmouth, in allusion to five regiments about to be sent from Ireland, he observes: 'I am not apprised where they are going; but I conclude, they are intended to act as a separate corps in North America, to the southward: if there should be an idea of such a force marching up the country, I hope it will not be entertained; for there must be great danger of its wanting many essential necessities, where there is so little to be had, so much desire to prevent our having that little, so much difficulty in conveying artillery, stores, provisions, &c., and so much hazard of losing communication with the ships: allow me once more, my dear lord, to remind you of the necessity there is, in all military matters, not to stir a step without full consultation of able military men, after giving them the most perfect knowledge of the whole matter under consideration, with all its circumstances.'¹⁵

Subsequent events showed the justness of his observations: these however were not confined to measures of fruitless expenditure, but extended to the danger which might accrue, at so critical a period, to the mother country. In her eagerness for sending troops to the conquest of America, England was soon almost divested of her military force; while an enemy abroad, and a faction at home, were co-operating for her ruin.

¹⁴ Political Life, p. 159.

¹⁵ Ibid. p. 160.

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On this subject he submitted to his majesty a memorial, in which he advised that the militia should be called out; but suggested great caution in the drawing men for a whole year, and putting them under the severity of martial law.¹⁶

In the debates above alluded to, the measure of entrusting Gibraltar and Minorca, keys of the Mediterranean, to foreign garrisons, was opposed; not only as being repugnant to the bill of rights, but as an alarming precedent of foreigners introduced, and armies raised, by a British king, without the consent of parliament. In answering this objection, Mr. Thurlow observed, that the clause alluded to in the bill of rights did not apply to any territory beyond the limits of Great Britain: the necessity of the case was also urged; and the introduction of 6000 Dutch troops in 1745 was cited as a precedent. Lord North acknowledged himself the adviser of this rash measure, and treated all opposition with unbecoming levity; but he was obliged to yield to the representations of some among his friends, as well as of his opponents, and ask leave to bring in a bill of indemnity.

The duke of Manchester on the same day made a motion against this unconstitutional practice, which the earl of Rochford, as one of its advisers, declared was justifiable: but having heard of lord North's intention, he moved the previous question, which however was negatived: the duke of Grafton was the only cabinet minister who condemned the measure, as inconsistent with the tenor of Magna Charta: a similar motion of censure was made in the commons by sir James Lowther, and disposed of in the same manner. The bill of indemnity passed the commons, but was rejected by the lords; the marquis of Rockingham observing, that it would disgrace the statute book to afford indemnity to those who acknowledged no offence, and the members of administration declaring themselves indifferent about the event.

Lord North brought in a bill to assemble the militia in cases of rebellion; which passed, with a rider, limit-

¹⁶ Political Life, p. 166.

ing its duration to seven years: the number of forces, to be employed by sea and land in the ensuing year, indicated great designs; 28,000 seamen, including marines, were voted; and 50,000 men for the land service.

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In the mean time, the duke of Grafton had resigned the privy-seal, which was given to the earl of Dartmouth; and he was succeeded in the secretaryship for the American department by lord George Germain, who, as lord George Sackville, had been subjected by the sentence of a court martial to much and merited obloquy: he had supported the stamp-act, and now enforced American taxation. Of a commanding figure and manly elocution, appealing to the judgment of his hearers more than to their imagination, concise and argumentative, this nobleman was listened to with great attention; and by him the operations of the war are considered to have been planned and superintended. The earl of Rochford also having about this time retired, was succeeded by lord Weymouth, as secretary for the southern department; and the young lord Lyttleton, who had opposed the address, was gained over to administration at the expense of his consistency, by the allurements of office.¹⁷ In this manner did the cabinet prepare itself for the arduous enterprise that lay before it.

At the opening of the session, a loyal petition was presented to both houses from the assembly of Nova Scotia, in consequence of lord North's conciliatory propositions, which was intended by those who promoted it in that colony to be a precedent for others: it proposed to grant to his majesty in perpetuity a duty of poundage, *ad valorem*, on all commodities imported into the colony, not being the produce of the British dominions in Europe or America, bay-salt only excepted; by which means the amount of the revenue would keep pace with the wealth of the province. Ministers, in a committee of the house, supported this proposition, thinking the example inviting to other colonies, and suggesting a duty of eight per

Nova Scotia
petition.

¹⁷ He was made a privy counsellor, and chief justice in Eyre beyond Trent.

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cent.: but objections were drawn from the unproductiveness of the new impost, compared with the old duties; and the small chance of other colonies following the example of a district which had always occasioned expense to government, and required a yearly grant from parliament. Whether the ministry, in prosecuting this measure, saw its inefficacy, or some overruling power had an ascendancy in the cabinet, to which the long catalogue of grievances, which even this poor and dependent spot dared to exhibit, was offensive;—nothing more was heard of the petition after it had passed the committee.¹⁸

Petition of
congress.

On the sixth of November, the petition of congress alluded to in the king's speech, was submitted to parliament; and when the lords were proceeding to consider it, the duke of Richmond, seeing Mr. Penn, late governor of Pennsylvania, standing below the bar, urged the propriety of examining him as a witness; which proposal, after a long debate, was conceded.

The examination was conducted by the duke himself, who had previously submitted to the house the questions he intended to propose: the opinions elicited from it showed that the members of congress were men of character and intelligence; that the people generally considered themselves capable of resisting the arms of Great Britain employed to enforce its obnoxious acts; that the war was begun in defence of their liberties, not from a desire of independence; but, unless conciliatory measures were speedily pursued, it was to be feared that connexions with foreign powers would be formed, which they would not easily be induced to renounce; that they were dissatisfied with the reception of their petitions, though inclined to acknowledge the authority of England, in all particulars, except taxation.

On this evidence, partial and imperfect as it was, his grace founded a motion, 'that the petition was a ground for conciliation;' and he extolled its language as that of submission, so far as was compatible with

¹⁸ Lord North's Administration, p. 218.

the rights secured to freemen by our constitution: he also descanted on the dangers of conquest; in which sentiments he was ably supported by lord Shelburne. Lord Dartmouth defended the refusal to answer the petition; and lord Lyttleton attacked the partiality of the witness, characterising the Americans as audacious rebels, and their sentiments as insidious, traitorous, and false expressions of loyalty. Lord Sandwich, whose mildness in debate was a contrast to lord Lyttleton's violence, laid open many errors in the statements of American power, and rectified some mis-statements regarding the strength of the country. The duke of Richmond's motion was negatived by eighty-six to thirty-three.

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On the sixteenth of November Mr. Burke again thought it expedient to propose measures of conciliation. In his speech he observed, that three plans seemed to be afloat with regard to America: the first, simple war with a view to effect complete conquest; the second, force mixed with negotiations, which appeared most favored by ministers, but met with his disapprobation; the last, peace grounded on concession; in conformity with which he moved 'for leave to bring in a bill for composing the present troubles, and quieting the minds of his majesty's subjects in America,' founded on the statute of Edward I. *de tallagio non concedendo*: according to which precedent, he proposed a renunciation of taxation, a repeal of statutes made on a contrary principle since 1766, a general pardon, and a congress to be held by royal authority for the adjustment of differences.

Mr. Burke's
concilia-
tory mo-
tion.

This proposition, though rejected, caused a long debate: its principal opponent was governor Pownall, who followed the mover, exposing many fallacies in his reasoning. The chief fault in the plan, he said, arose from the proposer's partiality to his own friends: the Americans would not be content with a repeal of the acts passed since 1766: when they limited their present complaints to infringements on their rights since 1763, they carefully reserved the farther consi-

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deration of American claims to a future day. He was adverse to all partial concessions, which could produce nothing but an endless succession of quarrels: to make the bill in any degree efficacious, it should extend redress to 1672; for they complain of the admiralty jurisdiction; and that is as old as the act of navigation: 'To my argument,' said he, 'it is nothing how far this is right or wrong, grievous or otherwise: the Americans complain of it; and for the bill which is to afford redress to be effectual in gaining their confidence, this does not go far enough: there are others willing to go farther.' On the seventh of December, Mr. Hartley also brought forward conciliatory resolutions, which were negatived; lord North objecting to the attempt as unseasonable, before experiment was made of the prohibitory bill, then passing through the house.

Lord
North's
prohibitory
bill.

This measure had been introduced by the minister himself, for the purpose of exacting obedience from the colonies by a prohibition of all commercial intercourse with the thirteen united states of America. It authorised the commanders of his majesty's navy to make prize of all American ships and goods, whether on the high seas or in harbor; and a clause was inserted, which rendered every American taken in them liable to serve as a common sailor in our ships of war, and to be considered as a volunteer. As this prohibitory bill comprehended every species of commerce along the coasts of the confederated states, all former acts, which affected any branch of trade, were repealed by it: terms, however, of pardon were held out to the revolvers, and commissioners appointed to give effect to them, as well as to inquire into any real grievances, of which the colonists might complain.

In answer to the attacks made on this measure, lord North vindicated himself, by observing, that the dispute about taxation was begun long before he, as minister, engaged in it: he only embraced it, when the colonies, already taxed, disputed a right which this country had determined never to surrender. If they made war a medium through which their claims

were to be advanced, he must follow them through it. Mr. Fox decried the proposition, as tending to destroy all trade with America, and accused the minister of wishing to ruin our manufacturers in order that they might enlist in the army: he moved, as an amendment, to omit the whole, except what related to the repeal of the obnoxious acts. The proposition was vehemently opposed, being represented as a formal abdication of our government over the colonies; and termed a bill for more effectually carrying into execution the decrees of congress, by completing the union of Americans between themselves, and exciting them to make foreign alliances. Petitions were presented against it by the West India merchants, without effect; and an attempt was made in vain to exempt Georgia from its operation. During this debate, a discussion arose touching the duties of military men in such cases. Lord Howe declared, no struggle was so painful as that between his duty as an officer and as a man: that if left to his own choice, he should decline to serve; but if commanded, he should not refuse to submit. General Conway discriminated between a foreign war and a domestic strife: in the former, no officer ought to question the justice of his country; in the latter, a military man ought to examine the justice of the cause. Mr. Thurlow combated this notion with indignation, as one which, if once established, must tend to a dissolution of government. In defence of the bill, it was said, that the Americans were already in a state of warfare with us, which made it necessary to retaliate by sea and land, as against alien foes: every colony, or smaller district, had its option to avoid damage and distress, by acknowledging the legislative supremacy of the mother country; and with regard to the alleged hardship of transferring American prisoners to the king's ships, it was said, that, instead of being punished as rebels, they received pay. Mr. Fox's amendment was rejected by 192 to 64.

In the lords, the contest was no less violent and acrimonious; the peers in opposition contending that the Americans were falsely considered as rebels; for,

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having been forced to take up arms in defence of their property, their resistance to acts of oppression was justifiable in every moral sense: these sentiments were reprobated by lords Lyttleton and Denbigh, as greatly overstepping the licence of debate, and affording a precedent to justify treason. During the progress of the bill several amendments were made: on the last reading, lord Mansfield defended it, and at the same time vindicated the conduct of government toward the Americans: he had always thought they were as much bound to obey acts of the British parliament, as the inhabitants of Middlesex; and proceeded to show, that since the peace of 1763 the northern provinces had been meditating independence: but allowing that all their professions of allegiance were genuine, that they had been led into this rebellion by a few factious persons, and that every measure hitherto taken by us to enforce submission was cruel or unjust; admitting all this to be true, was Great Britain to rest inactive till America thought proper to begin the attack? 'We are now,' said his lordship, 'in such a situation, that we must either fight or be pursued;' and he illustrated his position by the anecdote of a Swedish general, under Gustavus Adolphus, who, pointing to an advancing enemy, thus addressed his troops:—'My lads, you see those men; if you don't kill them, they will kill you.' He then went through the resources of the Americans, and their aggressive acts against this country; asking if we were to stand idle till they brought their arms to our very doors; and declaring that the consequences which must ensue from our inactivity or concession would be worse than any we had to dread from pursuing the present plan, or agreeing to a final separation. The bill passed without a division: but the efforts of opposition had been so incessant, (though the declining health of lord Chatham relieved ministers from the attacks of his impetuous eloquence) and the affairs of America were assuming so perplexing an aspect, and misgivings among some of our mercantile bodies so evidently appeared, that it is well known the minis-

terial phalanx began to waver, hesitating between false shame, which opposes the abandonment of projects precipitately embraced, and unpleasant forebodings of ultimate failure.¹⁹ Fear, lest the cause of their transatlantic brethren might gain popularity with the British people, induced them to look abroad for support; and treaties were concluded for a supply of troops with the duke of Brunswick and other petty despots of Germany, who traded in the blood of their subjects, whom they let out to be slaughtered at a fixed price: and thus his majesty was afterwards enabled basely to purchase 16,000 mercenaries to put down disaffection in America. The empress of Russia, whose aid was expected, and in some degree promised, would not permit her troops to be so disgraced; though she still continued on amicable terms with Great Britain, and cajoled our politicians with intimations of future assistance.

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¹⁹ Mr. Gibbon says, in a letter written during the recess, January 18th, 1776, 'I think our meeting will be lively; a spirited opposition, and a desponding majority. The higher people are placed, the more gloomy are their countenances, and the more melancholy their language. You may call this cowardice; but I fear it arises from their knowledge of the difficulty and magnitude of the business.'

CHAPTER XVII.

GEORGE III. (CONTINUED.)—1776.

Affairs of the Irish parliament—Motion of Mr. T. Townshend regarding the lord lieutenant's message—Debates on it—Mr. Fox's motion to inquire into the ill success of his majesty's arms in America—Copies of the treaties with German potentates for troops laid before the house—Debates thereon—Duke of Grafton's motion for an address to his majesty—Mr. Hartley's in the commons—Mr. Sawbridge's motion—Motion for a militia in Scotland rejected—Mr. Wilkes's project of parliamentary reform—Duchess of Kingston's trial—Unseasonable motions by general Conway and Mr. Hartley—Supplies, &c.—Prorogation of parliament—King's speech—Sentiments of foreign powers—Favorers of the American cause in England—Dr. Price's publication—Dr. Johnson's 'Taxation no Tyranny'—Alderman Wilkes's philippic against the corporation of London—Domestic events—Retirement of Garrick from the stage—State of the British and Americans at Boston—Difficulties of Washington's situation—Fortification of Dorchester heights—Evacuation of Boston by the British—Important advantages resulting from it to the insurgents—Mission of Indian chiefs—Affairs of Canada—Franklin's letter to M. Dumas—Arnold's unsuccessful attack on Quebec—Retreat of the Americans—Affair of captain Forster, and bad conduct of the Americans—Vigorous measures taken by general Carleton to expel them from his province—Failure of an attack on the British by general Thompson—Arnold's retreat to Crown Point, and command of lake Champlain—Pursued by the British under general Carleton—Preparation of a flotilla by this latter officer—Naval operations on the lake—Arnold defeated, and Crown Point abandoned—Affairs in the southern states—Operations of general Clinton and sir Peter Parker—Attempted conquest of Charlestown—Attack on Sullivan's Island, which fails—Expedition under general Howe and admiral lord Howe against New York—Manifesto of congress to prepare the public mind for independence—Thomas Paine's pamphlet, &c.—Question of independence proposed and carried in the congress—Declaration published—Lord Howe's declaration—His address to Washington, and correspondence with Franklin—Defeat of the Americans

on Long Island—Their retreat to New York—General Sullivan's mission to congress—Conference on Staten Island—Diplomatic agency of the United States—Views of France—First measures in 1775 for the organisation of American diplomacy—Dr. Franklin, Arthur Lee, and M. Dumas—M. de Beaumarchais—Silas Deane's mission to France—Three commissioners sent in 1776—Mr. Lee's mission to Spain—Proceedings of the commissioners in France—British attack and capture of New York—Washington's retreat—Action at White Plains—Capture of fort Washington—Washington retreats behind the Delaware—Capture of general Lee—Acts of the congress—State of the American army—Washington recrosses the Delaware—His brilliant success at Trenton and Princeton—His winter campaign in the Jerseys—Meeting of the British parliament—King's speech—Address and debates thereon—Lord John Cavendish's motion for revising the acts of which the colonists complained—Secession of a party of opposition members from parliament—Rope-yard at Portsmouth burnt by John the painter—Projected expedition for the discovery of a north-west passage.

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WHEN parliament met after its Christmas recess, its first important measure related to Ireland. In that country, as we have seen, a considerable change had taken place regarding the form by which its government was administered; and this had been effected by a profuse expenditure. During the administration of lord Townshend, £500,000 was lavished in reducing the power of the oligarchy through the corruption of parliament; and by extravagance in granting premiums and bounties, united with that of the viceroy in procuring adherents for government, a redundancy of about £500,000 was within twenty-three years converted into a debt of nearly £1,000,000. When the country was so deeply embarrassed, the public revenue became insufficient for the expenditure, and the government was reduced to the ruinous expedient of successive loans.¹ It was not to be expected but that Ireland would share in the sensations excited by the American contest, from the state of its finances, and the disposition of its people: during the government of lord Harcourt, strong parties were formed, and accounts were frequently transmitted of the defection and migration both of laborers and manu-

Affairs of
Ireland.

¹ Miller's History philosophically illustrated, vol. iv. p. 466.

facturers: but for the last few years no important transaction had occurred; and when lord North brought in his bill for restraining the commerce of New England, among other measures taken to counterbalance the inconveniences that might ensue, he granted bounties to Irish ships engaged in the fisheries of Newfoundland and Greenland; removing also some restraints, which in other respects affected Irish commerce: as the American contest however advanced, the parliament and citizens of Dublin began again to harass government with cabals and remonstrances.

On the tenth of October, 1775, the lord-lieutenant met the two houses; when, after recapitulating the benefits lately derived from the liberality of the British government, he reprobated the rebellious spirit of the colonists, and recommended attention to the discharge of arrears. A money bill was transmitted to England: but, having been altered in council, it was on its return rejected; which prevented an immediate supply.

On the twenty-third of November, lord Harcourt sent a message to the commons, requiring, in his majesty's name, 4000 troops for the American service, to be taken into British pay; and offering, if it were the desire of parliament, to replace them by continental auxiliaries. The house with reluctance consented to this diminution of their national force; but, leaving the ministerial party in a minority, refused to admit the foreign substitutes: opposition, however, unsuccessfully attempted to obtain an act for embodying the militia.

As this message, proposing the employment of Irish troops obviously meant that they were to be paid by England, which was nothing less than an engagement by the crown to dispose of public money without the consent of the commons, Mr. T. Townshend moved, on the fifteenth of February, that the lord-lieutenant's message was a breach of privilege. The arguments by which he supported his motion were drawn from the principles and practice of the constitution concerning pecuniary grants, and the designs which such

attempts to counteract them displayed: he also commented on the folly of taking 8000 men into pay, when only 4000 were required. The debate was animated; nor did the ministerial orators all take the same ground: some contended, that the Irish speaker had mistaken the viceroy's message, which merely meant that his majesty would pay the 4000 foreigners; others, that when the Irish establishment was increased, the king had engaged to maintain 12,000 troops in that kingdom, except in case of an invasion or rebellion in England; and the present demand not being within those exceptions, it was necessary that his majesty should be absolved from his promise: an application to the English house of commons would have been a violation of that promise.

On the other side, it was said, that the message was an experiment, made to establish a pernicious precedent: that it was the aim of government to habituate both countries to certain notions, which might destroy the independence of parliament in each. The scheme had a tendency to invest the crown with a power of taxing both countries: in Ireland, the minister was to ask some favor; then England was to be pledged: in England, Ireland was to be taxed, in order to maintain the supremacy of the British legislature. The various modes of defence used by the ministerial party were very successfully ridiculed; and in answer to an insinuation made by Mr. Dunning, that although this message had been disavowed here, the lord-lieutenant would not have risked it on his own judgment, lord North acknowledged that his majesty's servants in England acted in co-operation with those in Ireland, though they did not consider themselves responsible for the conduct of the latter: he however justified the message on the ground of expediency, though averse to a discussion of the right. Mr. Thurlow, who had for some time been a mean and ready tool of ministers, treated the motion as a party squib, denying that the preamble to an Irish law was binding on the British parliament. The motion was negatived.

On the twentieth of February, Mr. Fox's motion

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Debates on
America,
&c.

came on, to inquire into the causes of the ill-success of our arms in North America, and the defection of the Canadians. Avoiding every extraneous subject, he confined himself to an inquiry whether the proceedings of ministers had produced the desired effects: beginning with the Boston-port bill, he pursued a detail of ministerial operations; and placed in a strong light, what he called folly in the cabinet, as well as inability in forming plans: at the same time he inveighed against the disgraceful servility of parliament; and concluded by observing that none objected to inquiry, but those who were culpable themselves.

Unable to resist Mr. Fox's reasoning, ministers attempted to elude it; but exhibited a want of coincidence in argument. Lord North was much less decisive in his defence than were many of his coadjutors, who more than once endeavored to recall him from his tone of moderation: as in his measures he had betrayed a disposition to conciliate, which was counteracted by his more violent abettors; so in discussion he frequently endeavoured to palliate rather than to defend: his hesitation probably arose from some doubts regarding the wisdom of the plans pursued. On the present occasion, he admitted that miscarriages had happened; but it was impossible to foresee every event; and he was ready to resign office, whenever the house should withdraw its confidence: there was no danger, however, of this extremity; for an appeal to the candor of the house produced a rejection of Mr. Fox's motion, by 240 to 104.

On the twenty-ninth of February, were submitted copies of treaties for the purchase of troops, made by his Britannic majesty with the duke of Brunswick, the landgrave of Hesse Cassel, the hereditary prince of Hesse Cassel, and subsequently with the prince of Waldeck. These potentates stipulated to supply a force of 17,742 men; but the terms appeared extravagantly high: levy money was to be paid at the rate of £7. 4s. 4d. a man: all extraordinary losses in battle, or otherwise, to be compensated by the king. Each of the despots was to obtain, in addition, an annual

subsidy proportional to the number of men; the duke of Brunswick £15,519, so long as his troops received pay, and double that sum for two years after; the landgrave of Hesse £108,281; and also to have twelve months' notice before payment was discontinued, after his forces returned to their own country: to the princes of Hesse and Waldeck, who contributed near 700 men each, were assigned £6017; and the dominions of all were guaranteed against foreign attack.

On moving to refer these compacts to a committee, lord North dilated on the fairness of the terms; by which men were raised more speedily, and at a less expense, than was possible in this kingdom. His statements, however, were combated by the opposition, who represented Great Britain as disgraced in the eyes of Europe; impoverished, but still extravagant, and reduced to apply in the most humiliating manner to petty German states. What, it was asked, would be the expenses of a contest of which we had now such a specimen? Nor did the principle of fighting national battles by foreigners escape severe strictures.

The employment of any foreign mercenaries was deprecated, as precluding all possibility of reconciliation; but German troops were represented as peculiarly improper on the present occasion: they would be sent for the purpose of enslaving numbers of their own countrymen, who had fled from tyrants to the protection of Great Britain; but most of them would be induced to desert, by the offer of land in the country. The question for referring the treaties to a committee was carried by 242 to 88; and that for agreeing to the report by 120 to 48: on receiving it, however, an address was voted to the king, at the instance of colonel Barré, to equip the German troops with British manufactures.

In the lords, the duke of Richmond moved for an address to countermand all foreign troops, and to suspend hostilities. He entered into a detail of treaties with the landgraves of Hesse from 1702 to 1761; and having pointed out a regular advance in extortion, he computed the charge of mercenaries at the unprece-

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dented sum of £1,500,000 : toward the close of the Canadian war, Mr. Mauduit, an ingenious calculator, found that every French scalp had cost £10,000. His grace then animadverted on the large proportion of officers employed, the danger of keeping so many foreigners under their own generals, and the situation of this country if France or Spain should attack us. These observations were ably enforced by other peers : strong censures were expressed against the power reserved to a foreign prince of administering justice within the British dominions ; to effect which, as the terms of the treaty itself declared, an executioner, with his train of attendants, formed part of the Hessian establishment : the stipulation to protect these powers was also reprobated ; and it was asked, how, if the dominions of Hesse were attacked by a decree of the imperial chamber, we could either enter into war, or excuse our breach of treaty ?

In reply, the treaty was stated to be drawn up in the usual forms ; and on the latter part of the motion, for discontinuing hostilities, the old topics were advanced with additional violence. The wantonness and ruinous expense of the contest were denounced by lord Camden and the duke of Grafton : the population of America was vauntingly displayed ; and the termination of all connexion between England and her colonies predicted. The advocates of ministry supported their measures by tracing out the history of the colonies, and showing their constant disposition to factious resistance. Lord Temple reprobated the intemperance of opposition. 'The next easterly wind,' said his lordship, 'will convey to America every expression used in this debate ; and I would not that the nakedness and weakness of my country should stand confirmed by the sanction and authority of such testimony : it is time to act, not to talk ; for the die is cast, the sword is drawn, and the scabbard thrown away : past experience certainly will not justify confidence in ministers ; but I would not, by declaring our utter inability to reduce the colonists, furnish a golden bridge for an ignominious, ruinous, and disgraceful peace. I have heard

the war called unjust: but who in this house have a right to call it so? Not those who voted for the declaratory act: those only who denied our right of taxation; and how very few were they! I cannot approve of recalling troops, and publishing the terms to which you will yield, until there be reasonable assurance of their not being rejected. When the happy moment for conciliation shall arrive, I hope ministers will seize it: I wish them success: at least, at such a crisis I will not hang on the wheels of government, rendering that which already is but too difficult still more impracticable.' The motion was negatived by 100 to 32; but the proposed address was entered on the journals, with the names of ten peers protesting against its rejection.

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On the fourteenth of March, the last grand effort was made to avert this unnatural contest by the duke of Grafton, who moved for an address, beseeching his majesty to issue a proclamation, declaring that if the revolted colonies, within a reasonable time before or after the arrival of our troops, should present a petition to the commander in chief, or to the commissioners appointed under the late act, setting forth what they considered to be their just rights and real grievances, hostilities should be suspended, and the said petition referred to parliament.

In debating this proposition, the greatest latitude of discussion was taken, and every matter connected with the affairs of America amply investigated. Among other arguments to promote it, his grace stated, that he had received intelligence of messengers having been sent by France to general Washington and the American congress; and he argued that this conciliatory measure would induce our colonists to decline foreign alliances; besides, it was the only method left to extricate ministers and the country from the present embarrassing situation of affairs: the system of conquest and coercion must be considered as romantic; and even if it should succeed, who could expect long to retain America in subjection? The only plausible objection was, that, by

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receding, Great Britain would encourage her colonies to advance more extravagant demands: in that case, however, the ground of contest would be understood; administration would acquire stability; and the only subject of debate would be, whether it were best to conquer or to abandon. Ministers, however, and their adherents, contended that conciliation had now become impracticable, and that nothing could more certainly prevent it than concession: the honor of the king, the parliament, and the country, demanded that hostilities should not cease, till America should so far submit as to acknowledge the authority of our legislature; and this acknowledgement would be speedily brought about by the rigorous measures now adopted. France, it was said, would not interfere between us and our colonies: if she had any such intention, it was an additional argument for employing force to subjugate them, before they could be joined by so powerful an ally: at all events, we had now passed the Rubicon; and it was no time for us to be meditating plans of conciliation. In this point of view, indeed, ministers were right, and seemed to know the disposition of their antagonists better than the opposition. After lord Sandwich had vindicated the state of our navy from some imputations, and lord Hillsborough had explained his letter to the American governors in 1769, lord Dartmouth moved the previous question, in preference to a direct negative; and the duke's motion was lost by thirty-one against ninety-one.

Mr. Hartley afterwards presented the form of an address to the commons for empowering commissioners to offer terms to the Americans, instead of demanding unconditional submission; and proposing that they should be placed on the same footing with Ireland, in regard to procuring grants. In conformity with this suggestion, Mr. Sawbridge, the lord mayor, made a motion on the tenth of May: during the debates, Mr. Temple Luttrell uttered a vehement harangue, declaring that the king's speech was a sanguinary *parole*, the ministry an infernal administration, and that

future acquiescence in their measures would be highly criminal; quoting also the observation of Thales, 'that of all wild beasts, the worst was a tyrant; of tame ones, a flatterer.' He was called to account for this intemperate language by Mr. Rigby; and the motion was negatived.

During this session, a bill was proposed for establishing a militia in Scotland, which was patronised by members from that country, but opposed by English senators as unnecessary: since Scotland paid only one fortieth of the land-tax, on which the expenses of the militia lay, and her population was only a fifth of that of England, it was considered unreasonable in her to apply for a militia, in the maintenance of which her proportion of the expenses would be small, compared with the advantages received: after a warm contest, in which the minister was left in a minority, the motion was rejected. Alderman Sawbridge repeated his annual motion respecting the duration of parliaments; and Mr. Wilkes not only attempted, as usual, to reverse the decision on the Middlesex election, but brought forward a project of parliamentary reform. Having expressed a wish that every free agent in the country should be represented, he demanded that the number of members for London, Middlesex, and Yorkshire should be increased; that the mean boroughs, called 'the rotten part of the constitution,' should be cut off, and their electors thrown into the county constituency; finally, that populous trading towns, such as Birmingham, Manchester, and Sheffield, should send representatives: the motion however was rejected without a division. Soon afterwards the upper house was engaged with the trial of the duchess of Kingston for bigamy, in which she was convicted; but pleading the privilege of the peerage for exemption from corporal punishment, she was discharged on paying the fees.

Thoroughly as the affairs of America had been discussed, an ineffectual attempt was made by general Conway, just before the prorogation of parliament, to carry a motion for laying before the house the pacific powers with which the commissioners were invested;

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and at the moment when his majesty was expected by the lords, the indefatigable Mr. Hartley proposed an address against the prorogation of parliament; in order that, sitting by adjournments during the summer, they might be at hand to provide for contingencies.

The supplies for 1776 were £9,000,000. In providing the ways and means, a loan of £2,000,000 was found necessary; but the taxes for paying the interest being laid on articles of luxury, the minister maintained his reputation in the department of finance: after passing a vote of credit for another million, parliament was prorogued on the twenty-third of May. The king, in his speech, represented the country as engaged in a great national cause, attended with much difficulty and expense; but as the essential rights and interests of the whole empire were deeply interested in the issue, and as no security could be found but in the constitutional subordination contended for, he thought no price could be too high for the preservation of such an object: he also dwelt with pleasure on the assurances he had received from the European powers, which promised a continuance of tranquillity.

Sentiments
of foreign
powers.

Yet at this very time France and Spain were preparing armaments under various pretences; the queen of France being under the influence of Choiseul, the bitter enemy of England; while both those nations still smarted under the disgrace of the late war. Frederic of Prussia could never stifle his resentment against us; Catharine of Russia had refused her promised aid; and almost every other state was looking anxiously to the diminution of our naval superiority. The emperor of Austria alone seemed steady in approving the part taken by Britain, as being in accordance with the monarchical principles of that court: '*je suis par métier royaliste*,' was his answer to one who ventured to ask on which side his wishes inclined. In England, however, the colonists had their most powerful allies; and their parliamentary advocates, overstepping the limits of sober discussion, gave encouragement to their cause both here and in America: the dissenters generally declared for them; and the

press teemed with publications in their favor. The most conspicuous of these was from the pen of Dr. Price, entitled 'Observations on the Nature of Civil Liberty, the Principles of Government, &c. ;' in which he strove to depreciate the British government, while he extolled the spirit which gave rise to the American revolution. 'In speaking of England,' says Mr. Adolphus,² 'he never assumed a grand or expansive view of the constitution or government, but guided the attention of his reader to some isolated part, some solitary proposition ; which being taken separately from its intimate connexions and relations, afforded subject of exaggerated censure or unqualified misrepresentation : in speaking of America, on the contrary, he rarely descended to particulars, but took an extensive range among abstract principles ; and treated government, liberty, and colonisation, not as practical topics, but as subjects of theoretical examination.' One of the most noted works on the other side came from Dr. Johnson, intitled 'Taxation no Tyranny : ' it embodied most of the arguments employed in the senate to establish the supremacy of our legislature ; but like the work of a partisan, its views were often narrow, and its opinions clouded by prejudice. To the sensible view of the question taken by dean Tucker,—that our gains would be the same and our expenses less, if we yielded up every claim, and left the Americans independent—that we should have the benefit of their commerce, whether they were our colonies or not ; since our skill, industry, and capital would give us a preference in every market—the doctor thus replies :—' It is however a little hard, that having so lately fought and conquered for their safety, we should govern them no longer : by letting them loose before the war, how many millions might have been saved ! One wild proposal is best answered by another. Let us restore to the French what we have taken from them : we shall see our colonists at our feet, when they have an enemy so near them : let us give the Indians arms, and teach them discipline, and encourage them now and then to

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Political
writers.

² History of the Reign of George III. vol. ii. p. 317.

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plunder a plantation: security and leisure are the parents of sedition.' Strange, that he would not see how many millions might have been saved on the present occasion!

The factious disposition which had long prevailed in the livery of London grew at length so languid, that alderman Wilkes, exasperated at having twice failed in an attempt to be elected city chamberlain, vented his *honest* indignation in a furious philippic against the whole corporation; declaring that 'the moment had arrived, so ardently desired by every arbitrary administration, when a majority of the livery appeared to have sold and surrendered the capital to a ministry.' Dissolution of the empire, ruin, and slavery, he feared, were advancing with giant strides; we were ripe for destruction; and our salvation almost intirely depended on the courage and noble spirit of our American brethren; whom neither the luxuries of a court nor the sordid lust of avarice in a rapacious and venal metropolis, had hitherto corrupted.

Domestic
events.

Among the domestic events of this year may be noticed the birth of prince William of Gloucester on the fifteenth of January, and that of the princess Mary on the twenty-fifth of April. On the twenty-first of March, the duke of Bridgewater's grand canal to Liverpool being completed, vessels went through it to Manchester: to make this junction, a mile of ground was cut, and four capital bridges built between January 22d and March 22d; in which time there were twenty-one days of hard frost and very bad weather.³ On the tenth of June, Drury Lane theatre closed with the comedy of the Wonder, in which the celebrated David Garrick made his last appearance, giving the profits of the night to a charitable fund for the support of decayed actors. After sustaining the character of Don Felix with inimitable perfection, and delivering a very feeling address, he retired amidst the blended tears and acclamations of a brilliant audience. He had, some months before, sold his share in the theatre to Mr. Sheridan and others for the sum of £35,000.

³ Annual Register for 1776, p. 227.

The great professors of other arts generally leave monuments of their skill and glory behind them, by which their distinguished excellence is known to posterity;

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The actor only shrinks from Time's award :
Feeble tradition is his memory's guard.

Tradition, however, is so strong and uniform in its testimony to Garrick's merits, that we may well believe his excellence to have been far beyond any competitor for histrionic fame. His versatility appeared almost miraculous: in tragedy, in genteel and low comedy, nay, even in pantomime, he was equally unrivalled: few persons could be endured by an audience in a descent from the lofty aspirations of the tragic Muse to the personification of those low and despicable characters which English comedy loves to bring on the stage; but Garrick had the power to embody any character to a degree of reality which carried with it a temporary oblivion of all his other efforts. It is related, that a young lady of great beauty and large fortune, having fallen in love with him on seeing his representation of Chamont, Lothario, and other such characters, offered him her hand in marriage through the intervention of a duenna, who promised to call again, and fix a day of meeting: in vain however did Garrick wait for the performance of this promise; but having met the old woman in the street, and asked the reason why she failed in her appointment, he received the following answer:—'O dear! it is all over: the young lady has since seen you in Abel Drugger, and her love is quite gone.'

A power of moulding the countenance into the most vivid expression of an assumed passion was his to a degree far beyond any thing on record; of which the well-known story of his personating the mad father before a French company at Mademoiselle Clairon's is a proof. He used to say, that he learned to play King Lear from witnessing the madness of a man who lived near Goodman's-fields, and was fondling his infant at an open window, when it sprang out of his

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arms on the pavement below: the shock was so great to the horror-struck parent, that he lost his senses, and displayed his insanity by going to the window, and fancying that he was again playing with his child; when after a time he appeared to drop it; and again acted, because he again suffered, all the pangs which he felt at the real catastrophe. This scene Garrick sometimes beheld, and drew from it that representation of insanity in *Lear*, which is said to have been more forcible, terrible, and true than any similar delineation ever given on the stage. We must now revert to a different theatre, where no mimic sorrows were to be represented; but war in its fiercest mood was preparing to sever all those ties that bind together kindred nations.

State of
British and
Americans.

We left the British army blockaded in the city of Boston, its commander contented with predatory expeditions and the conflagration of towns, while his enemies were almost totally unprovided with the materials of war. The difficulties of Washington's situation were so great, that his cause must have been hopeless had he been opposed with vigor.⁴ As the time of service expired, the American forces were to be replaced by new levies in presence of a highly-disciplined enemy. To raise another army, even for one campaign, was accompanied with much trouble: the enthusiastic ardor which had brought the first into the field had abated; visions of domestic comfort began to prevail over a sense of public duty; the troops gradually melted away as the year declined; and at the beginning of 1776, the new enlistments scarcely equalled the number of British soldiers in Boston. Meanwhile, the public, as well as his antagonists, deceived by exaggerated representations of Washington's offensive means, were impatiently looking for active measures on his side: but the dangerous situa-

⁴ At this time, Washington says in his correspondence, 'It is easier to conceive than to describe the situation of my mind for some time past, and my feelings under our present circumstances. Search the volumes of history through, and I much question whether a case similar to ours is to be found; namely, to maintain a post against the flower of British troops for six months together, without powder, and then to have one army disbanded, and another to be raised within the same distance of a re-inforced enemy.'—Sparks's *Life*, vol. i. p. 164.

tion of affairs induced this great man to suffer all attacks on his character in silence, rather than vindicate himself, by exposing his wants: he was not insensible to the effects of his apparent inactivity on the public mind, but an explanation of the cause would have been ruin. Still he was determined, if possible, to expel the British troops from Boston; having been authorised by congress to attempt this in any way he might think expedient; even though the town should be destroyed: in February, therefore, the general summoned a council, and submitted to them a project of attacking Boston by marching over the ice; since he had not powder enough for a bombardment: his proposition however was negatived, and a different plan of operations adopted: this was to take possession of Dorchester heights, which commanded the harbor. To conceal the design, a bombardment from other quarters was carried on for three days: but on the night of the fourth of March, a covering party of 800 men led the way, followed by 1200 under general Thomas, with 200 carts loaded with fascines and hay: they marched in silence, while the cannon were playing; and before day-break they had completed the lines of defence, which appeared to the garrison like works raised by enchantment. The English admiral having sent information to general Howe, that unless the enemy were driven from these intrenchments he could not keep a ship in harbor, it was determined to attempt their dislodgement: in anticipation of such a movement, Washington was prepared to have forced his way into Boston with 4000 men, who were to have embarked at the mouth of Charles river.

A violent storm, however, prevented any attack on the heights, which were almost perpendicular; while an abundance of large stones was prepared by the enemy to annihilate their assailants. These difficulties determined the British commander to evacuate the town; and an intimation was sent to the American general, that it would be spared from the flames if our troops were suffered to embark without molestation: this notice determined Washington to abstain

Evacuation
of Boston
by the
British.

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from hostilities ; and after ten days, the British army quitted the place on the seventeenth of March, destroying Castle-William, but leaving the barracks uninjured, with a quantity of cannon and ammunition, to the value of £30,000; all very serviceable to the provincials.

Our fleet was detained nine days in Nantasket-roads before it could sail ; after which it proceeded to Halifax, with the troops, and about 1500 citizens of Boston, whose adherence to the royal cause had rendered them obnoxious to their countrymen: as the rear embarked, Washington marched into the town with drums beating, colors flying, and all the pomp of victory ; being received with gratitude by the remaining inhabitants, as well as by the refugees, who now recovered their ancient possessions: nor was the provincial assembly less ardent in their acknowledgements. The estates of the emigrants were seized ; and the effects of some royalists who remained, and were tried as betrayers of their country, became confiscated: these however were not the sole advantages gained by the evacuation of Boston ; for many vessels which arrived after that event, some laden with valuable stores,⁵ fell into the hands of the Americans, although ships had been stationed off the coast to prevent such occurrences. Thus was Boston, the very cradle of the revolution, and the grand object of debate in the British legislature, now left in possession of the revolvers.

Mission
of Indian
chiefs.

Some time before this event, the Oneidas, and some other Indian tribes, had sent to the provincial assembly a deputation of chiefs, who with native eloquence thus disclosed the purport of their mission:—‘Brothers, we have heard of the unhappy differences and great contention between you and Old England: we wonder greatly, and are troubled in our minds. Brothers, possess your minds in peace respecting us Indians: we cannot intermeddle in this dispute be-

⁵ The most valuable of these was the Hope, loaded with 1500 barrels of gunpowder, as well as carbines, bayonets, travelling carriages for cannon, and all sorts of tools. A transport also with 700 men, under lieutenant-colonel A. Campbell, had the misfortune to run into Boston harbor.

tween brethren: the quarrel seems to us unnatural; and we bear an equal affection to both. Should the great king apply to us for aid, we shall deny him; if the colonies apply, we shall refuse: we Indians cannot find or recollect in the traditions of our ancestors a case similar to this. Brothers, if it were an alien that had struck you, we should look into the matter: we hope, through the wise government and good pleasure of God, that your distresses may be soon removed, and the dark clouds be dispersed. Brothers, as we have declared for peace, we desire you will not apply to our Indian brethren for assistance: let us Indians be all of one mind: and you white people settle your disputes between yourselves.' It would have been fortunate for the fair fame of Britain, had the Indians adhered to this wise policy proclaimed by their chiefs: but many of the savage tribes bordering on the great lakes and rivers were soon prevailed on, by solicitations and irresistible presents from our agents, to take up the hatchet on behalf of the 'great king.'

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Since the death of general Montgomery, American interests had declined in Canada: the intelligence of his first success had inspired congress with lively hopes; and even after his fall, measures had been taken to carry his plans into effect: some reinforcements had been sent, which were retarded and diminished by the insupportable hardships of their march: an address had been framed by congress; and Dr. Franklin headed a deputation urging the Canadians to join the common cause, by promises of participation in all the advantages of the confederacy: failing in this enterprise, Franklin next wrote, by direction of congress, to M. Dumas, an American agent in Holland, requesting him to sound the several governments of Europe, through their ambassadors at the Hague, respecting any assistance which America might expect from them in the case of her declaring herself an independent nation.⁶

Affairs of
Canada.

Colonel Arnold still kept his station on the heights near Quebec, and before the frost had broken up, was joined by six companies of a newly raised regiment

⁶ Memoirs of B. Franklin, vol. ii. p. 12.

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XVII. adequate to his wants; while the misconduct of his
— 1776. troops alienated the natives from his cause. The small-
pox also attacked his troops so severely, that, out of
3000, only one-third were fit for duty: under such
circumstances, this active officer, being determined to
make one last attempt before he abandoned the siege,
raised some batteries on the St. Lawrence to fire the
shipping, and prepared for a general assault: the
project failed, though boldly undertaken: his troops
were at one time drawn up, with scaling ladders, to
storm the town during the distraction expected from
the operation of the batteries, and assisted by some
fire-ships; they even penetrated into the suburbs,
burnt some houses, and obliged the garrison to pull
down many others, to prevent the conflagration from
spreading; but the vigilance and cool intrepidity of
Carleton baffled all their designs.

It was not long before the American commanders
determined on a general retreat; nor could even this
be effected without great precipitation and some loss,
on account of the sudden appearance of the Isis man
of war and two frigates, which, in the beginning of
May, had forced their way through the ice. The
governor, availing himself of the enemy's consterna-
tion, now made a sally on their retiring forces; when
the confusion became general, and they fled on all
sides, leaving their artillery, ammunition, and stores:
a few of the sick fell into the hands of the victor; and
many wretched fugitives surrendered themselves to
general Carleton; who being as humane as he was
brave, extended to them protection, and safe conduct
to their places of residence: this example, however,
was not generally imitated by the Americans, whose
treatment of their captives was harsh, and sometimes
cruel. At this time a small party of British and
Indians, under captain Forster, proceeded against a
strong fort, called the Cedars, defended by 400 colonists,
situated thirty miles west of Montreal: it surrendered
after a spirited attack, on condition that the garrison
should be preserved from the brutal ferocity of the

savages: a detachment had also been taken prisoners on their march from Montreal to the relief of the Cedars, whose lives were with difficulty saved by the resolute and conciliating conduct of captain Forster: this brave officer next advanced to Vaudreuil, six miles north, whence Arnold made an effort to dislodge him, but was obliged to retreat. Forster, being now encumbered with prisoners, released them, in consequence of a cartel arranged with Arnold, to return an equal number of royal troops within two months, and to send four captains to Quebec, as hostages: this compact, however, was shamefully broken by congress, under a false pretence that Forster, a man of singular humanity, had treated his prisoners taken at the Cedars in a barbarous manner.⁷

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In the mean time, the expected reinforcement, consisting of several regiments from Ireland and England, another from general Howe, and the Brunswick troops, being arrived in Canada before the end of May, general Carleton soon adopted measures for totally expelling the enemy from his province. Having divided his army, consisting of 13,000 men, into detachments, he directed them to concentrate themselves at Trois Rivières, half-way between Quebec and Montreal. A considerable body under brigadier-general Frazer already occupied a station at this place, whilst another headed by general Nesbit lay near them, on board some transports; when the provincials, who were under general Thompson, being joined by a reinforcement, made a desperate but rash attempt to surprise the British forces. Thompson proceeded with the utmost caution, coasting in the night, and concealing his troops by day; but on landing, he found general Frazer, who had received intelligence of his movements, prepared to receive him, while Nesbit was enabled to post a detachment in his rear. After

⁷ 'I call that God who must judge all things to witness, that not a man living could have used more humanity toward his prisoners than captain Forster did, after the surrender of that party to which I belonged; and whoever says the contrary, let his station in life be what it will, is an enemy to peace, and a fallacious disturber of mankind.' Thus wrote captain Sullivan, one of the American hostages, to his brother, a major-general in the service of congress.

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a furious but ineffectual attack, the provincials fled: Nesbit's corps kept the river side, to prevent their escape to the boats; while Frazer's in pursuit galled them with field-pieces. Between both, they were driven some miles through a deep morass, till the British were tired by following them; when the woods afforded a shelter to the fugitives, after the first and second in command, with 200 others, had been taken prisoners. Colonel St. Clair extricated his countrymen from their perilous situation with great skill and intrepidity; and in a few days brought them safe to their main body under general Sullivan at Sorel: Carleton, who had come up with his forces, pursued them to that place; but found it evacuated, and the batteries dismantled.

Vigorous
measures of
general
Carleton.

The American commander, having abandoned Montreal, retreated before general Burgoyne, who was charged with the pursuit; and, leading his troops through a dangerous tract of country, effected their safety, after burning every thing at St. John's and Chamblée: he preserved his cannon and stores, bringing off also a body of sick. Having set fire to such of their vessels as could not be dragged up the rapids in their way to lake Champlain, they embarked directly on that water, and proceeded to Crown Point, which they reached early in July: here they employed themselves, under colonel Arnold, in equipping sixteen vessels, to be worked either by sails or sweeps; and thus for a time they had the command of lake Champlain, and kept their pursuers at bay.

Carleton, however, was not to be checked by common obstacles: he also occupied himself in the creation of a fleet; having, in contemplation of such a measure, ordered from England the frame-work of several vessels, so constructed that they could be taken to pieces: these being sent before the end of the summer, he had them conveyed by land-carriage, where the river was too shallow for their draught, and launched them on lake Champlain; being assisted by the zeal of general Philips, captains Douglas and Pringle, of the royal navy, and several other officers of

distinguished merit. Having thus with great industry and ingenuity prepared thirty vessels, all carrying cannon, he himself embarked on board that of commodore Pringle in October; while the land forces, under Burgoyne, were instructed to await the result of naval operations at Cumberland-bay. Early on the eleventh of October, the British armament discovered the enemy's flotilla drawn up in a line between Valcour Island and the eastern side of the lake: a warm but undecisive action ensued, and an American brig was driven on shore; but the British ships of greatest force were prevented by unfavorable winds from taking part in the engagement: the firing, however, continued till sunset, during which time three American vessels were destroyed, and seventy men killed or wounded; the British losing one gun-boat and twenty men. Arnold, anticipating the destruction of his fleet when the other ships could act against him, dexterously escaped in the night, by sailing between the British ships and the shore; but, being pursued, was brought again to action within a few leagues of Crown Point; when he lost one of his largest ships and a gondola: such of his vessels as were most ahead now deserted him, and escaped to Ticonderoga; some others, dispersed by a gale, were captured; and at length, the Washington galley, carrying brigadier-general Waterbury, having struck, Arnold ordered his own vessel and five others to be run ashore; when he landed his men, and blew up the ships, against every effort of his antagonists to prevent him. He himself remained on board his galley till she was enveloped in flames, and with nice attention to the point of honor left his flag flying to the last moment.

Crown Point was immediately abandoned by the provincials, who concentrated all their forces at Ticonderoga: but this fort being judged too strong to be successfully attacked at so advanced a season of the year, Carleton evacuated Crown Point, of which he had taken possession; and having strengthened the British fleet so as to ensure the command of lake

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Champlain, withdrew his forces to Canada; when Burgoyne returned to England.

While nothing but the extreme rigor of a Canadian winter seemed to stop the progress of British arms in this quarter, the expedition sent against the southern states, from which great consequences were expected, totally failed. The command of the forces destined for that service was given to general Clinton and admiral sir Peter Parker; but a fatal delay in Ireland,⁸ and bad weather, prevented the arrival of this latter officer with his fleet until the season was considerably advanced. In the mean time, governor Martin, stimulated in his exertions by information of these intended operations, strenuously exerted himself to recover his lost province of North Carolina; for which purpose he collected a considerable corps of Scotch emigrants under colonels Macdonald and Macleod, with a daring set of independent colonists, called regulators, who lived principally by the chase: to oppose this force, the American colonel James Moore collected a regiment of provincials, which was joined by 500 men under colonel Caswell. Both parties were stationed near Moore's-creek, and an engagement was expected; when colonel Moore, during the night, feigning a retreat, drew his opponents into a place of ambush beyond the camp, in which colonel Macleod, with most of his followers, was slain; some fled, and the rest, with colonel Macdonald, were taken prisoners. Sir Peter Parker and lord Cornwallis, arrived, in the beginning of May, off Cape Fear in North Carolina, where they were anxiously expected by general Clinton, who immediately took the chief command; and who tried the effect of a proclamation, inviting the inhabitants of our southern colonies to return to their allegiance: the republicans however were so resolute, and the loyalists so disheartened by their late defeats, that no public avowal of returning duty could be obtained or expected.

⁸ This was occasioned by the absurd scruples of the lord lieutenant about the propriety of permitting the troops to embark without leave of the legislature; and much time was lost in getting a clause for that purpose inserted in a bill afterwards passed by the Irish parliament.

An expedition was now undertaken by the combined military and naval forces, against Sullivan's Island, by which the commerce of Charlestown, the capital of South Carolina, was protected. The whole fleet came to anchor off the bar on the fourth of June; but previously to its approach, the city had been put into a state of defence, and strong works, capable of holding 1000 men, thrown up on the island: these being mounted with thirty cannon, which commanded the channel leading into the harbor, were placed under the command of colonel, afterwards general Moultrie; one of the bravest officers in the American service. 'At this time,' says colonel Moultrie, in his Memoirs, 'it was the general opinion, that two frigates would be sufficient to knock the town about our ears, notwithstanding our batteries of heavy cannon: the sight therefore of a British fleet alarmed us very much; all was hurry and confusion; the president with his council, busy in sending expresses to every part of the country, to hasten down the militia; men running about the town, looking for horses, carriages, and boats, to send away their families, and as they were passing through the town gates toward the country, meeting the militia from the country marching into town: traverses were made in the principal streets; flèches thrown up at every place where the troops could land; lead was taken from the windows of churches and dwelling-houses to cast into musket-balls; and every preparation made to receive an attack, which was expected in a few days.' On the fourth of June, general Lee arrived from the northward, to assist in the defence of Charlestown, and took the chief command of the troops: when he came to Sullivan's Island, he disliked that post, said there was no retreat, and called it a 'slaughter-pen;' but president Rutledge insisted on its retention, being encouraged by the confidence which colonel Moultrie placed both in the works and in his men. This officer, when told that the ships would knock the fort about his ears in half an hour, calmly replied, 'then we will lie behind the ruins, and prevent their men from landing.' On the

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Unsuccessful
attack
on Sullivan's
Island.

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morning of the twenty-eighth of June, as he was on a visit to his advanced posts, he observed the British fleet getting under weigh; and had scarcely time to return and man his guns, when the ships were abreast of the fort; where, having let go their anchors with springs on the cables, they began a furious attack about ten o'clock, which continued till eight in the evening. The garrison made a gallant defence, firing deliberately, taking aim, and seldom missing their object; so that the ships were almost torn to pieces; while the killed and wounded on board exceeded 200. The following is from colonel Moultrie's account of the action:—'The ships engaged were, the Bristol, of fifty guns, commodore sir Peter Parker; the captain of which had his arm shot off, forty-four men killed, and thirty wounded: the Experiment, of fifty guns; the captain of which also lost his arm, with fifty-seven killed, and thirty wounded: the Active, of twenty-eight guns, which had one lieutenant killed, and one man wounded: the Solebay, of twenty-eight guns, having two killed, and three wounded: the Actæon, of twenty-eight guns, burnt, and one lieutenant killed: the Sphinx, of twenty-eight guns, which lost her bowsprit: the Syren, of twenty-eight guns, the Friendship, of twenty-six, and an armed vessel taken into service: the Thunder-bomb had the beds of her mortar soon disabled; she threw her shells in a very good direction, and most of them fell into the fort; but we had a morass in the middle that swallowed them up instantly. At one time, the commodore's ship swung round with her stern to the fort, which drew the fire of all the guns that could bear on her. The words passed along the platform by officers and men were, 'Mind the commodore! mind the two fifty-gun ships!' During the action, thousands of our fellow-citizens were looking on with anxious hopes and fears; while the hearts of many, who had fathers, brothers, and husbands in the battle, must have been pierced at every broadside: after some time, our flag was shot away; their hopes then vanished, and they gave up all for lost; but sergeant Jasper, seeing that it had

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fallen without the fort, jumped from one of the embrasures; brought it up through a heavy fire; and, having fixed it on a sponge-staff, planted it again upon the rampart.⁹ Our standard, once more waving in the air, revived the drooping spirits of our friends, and they continued looking on till night closed the scene: at length, the British gave up the conflict; the ships slipped their cables, and dropped down with the tide beyond the reach of our guns; when our friends were relieved from their unhappy suspense by a despatch-boat, which I sent up to the town.¹⁰ The fortress itself, being built of palmetto wood, was little damaged; for the shot which struck it were buried in its soft materials; and the loss of the garrison did not exceed ten men killed, and twenty-two wounded. Before the engagement took place, general Clinton landed with a considerable force on Long Island, which had been represented to him as communicating with Sullivan's by a ford passable at low water; but, to his great mortification, he found the channel upwards of seven feet in depth, and the opposite landing-place on Sullivan's Island occupied by a strong force under colonel Thompson; which, as he had not boats to transport more than 700 men, effectually kept him in check. During one period of the attack on the fort, it was for a short time evacuated, on account of the want of powder, a quantity of which was afterwards brought from the main land: if general Clinton's offer of putting troops on board the ships had been accepted, it was supposed at the time, that the British might in that interval have taken possession of the works; but sir Peter Parker, from an excessive confidence in the powers of the fleet, rather undervalued, and therefore declined that co-operation of the army.¹¹ By the repulse of this armament the southern states obtained a long respite from the calamities of war; but, what was still more important, the spell which

⁹ For this action he was presented with a sword by the congress.

¹⁰ The fort so gallantly defended was afterwards named Fort Moultrie, in honor of its commander, who soon afterwards came into the regular line of the army as a brigadier-general.

¹¹ Adolphus, vol. ii. page 334.

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had long attached itself to the British navy was broken; and the minds of the colonists recovered from the depression into which they at first fell, on hearing of the powerful expeditions prepared to crush them.

Expedition
against
New York.

After the evacuation of Boston, the ministerial plan of operations¹² had been directed to three principal objects: as two of these have already engaged our attention, it only remains to notice the grand armament destined to act against New York. Washington, with the main body of his army, arrived at that city on the fourteenth of April, and earnestly pressed forward its defences: many of the inhabitants were disaffected to the American cause; and, in addition to his embarrassments, a part of his own guard was seduced to seize his person, and deliver him to the enemy: but the plot being discovered, several of the conspirators were executed. From a successful attack on New York great advantages were expected by the British government: its central position would enable their generals to carry on the war with equal facility in the northern and southern provinces, varying the scene of action as they wished; while its maritime situation, mostly inclosed with islands, promised defence and protection to our ships.

The command of the British forces in this expedition¹³ devolved on general Howe; who, in waiting for the protracted arrival of his brother lord Howe, commander of the fleet, experienced the truth of an observation often urged by the opponents of American taxation—that it would be found very difficult for Great Britain to stretch out her arms across the Atlantic ocean to coerce her rebellious children. Having in vain waited two months at Halifax for the expected reinforcements, and being impatient of farther delay, he set sail on the tenth of June for New York, and arrived, near the end of the month, off Sandy Hook, where he was soon afterwards joined by his brother.

¹² It is believed that this was principally laid down by lord George Germaine.

¹³ To this service was allotted a well-disciplined army, of about 30,000 men, supported by a powerful fleet; a force superior to any that America had yet seen: the troops were also provided with artillery, stores, and warlike materials of every kind.

The British general, on his approach, found every part of the island on which New York stands, and the most exposed parts of Long Island, well fortified, and defended by artillery; but he effected a landing on Staten Island, which had not been attended to with so much care: here he was joined by Mr. Tryon, late governor of the province, and a body of loyalists who had taken refuge with him in an armed vessel; also by about sixty persons from New Jersey: and as the inhabitants, from fear, affection, or policy, expressed great satisfaction at the arrival of the royal forces, 200 of them were embodied as a national militia: from these appearances, hopes were entertained, that, as soon as the army was in a condition to advance into the country, and protect the loyalists, such numbers would flock to its standard, as might tend greatly to facilitate success.

In the mean time a bold and decisive measure taken by the Americans, gave a new complexion as well as an important issue to the contest. Though from its beginning the bulk of the people had acted on no fixed principles; and though addresses from different colonies had been filled with professions of loyalty to the sovereign, breathing ardent wishes for reconciliation; yet a large party in America had long been preparing the public mind for the doctrine of independence, and for embracing their views of a separation from the parent state: the powerful intellect of Franklin had been zealously active in this cause, seconding the indefatigable zeal of Patrick Henry in Virginia, of Adams and Hancock in Massachusetts, and many such characters in other provinces. Congress at length deeming it advisable to ascertain the opinions of the people on this great question, issued a manifesto, stating various causes which rendered it necessary that regal authority should be abolished, and the powers of government assumed by the different states: in particular, they instanced the prohibitory act, by which they were excluded from the protection of the crown; the rejection of their petitions for redress of grievances; and the intended exertion of the whole force of Great

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The Americans meditate a separation from the mother country.

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Britain, aided by foreign mercenaries, for their destruction. As soon as public attention had been thus drawn strongly to the subject, various productions issued from the press; among the most conspicuous of which was the celebrated pamphlet, intitled 'Common Sense,' by Thomas Paine; in the composition of which there is good reason to believe that Franklin had no inconsiderable share:¹⁴ this work, replete with rough sarcastic wit, and calculated to flatter the prejudices, as well as to inflame the resentment of Americans, produced so extraordinary an effect as to become a feature in the contest; bringing over multitudes to the cause of independence, who but a few months before would have regarded the proposition with abhorrence: lesser arts were not neglected; and the lower classes throughout the colonies were taught to clamor for this favorite object, and to treat as friends or enemies those who favored or opposed it: in short, during the interval preceding the discussion of this topic, the spirit of intrigue was never at rest. Many of the higher orders were restrained by fear, interest, or conscience, from advocating a plan of final separation; but those who felt such scruples were mostly of a mild and patient character; while their opponents were violent, energetic, and precipitate: some even in the congress adhered resolutely to their first instructions, and could not be brought to believe that this extreme measure would be sanctioned by their constituents. The moderation of Washington induced him to think that his countrymen were going too far; that their resources were insufficient; and that the different states would not coalesce so firmly under the control of congress as to meet dangers with due energy and perseverance: he wished that an opening for honorable terms should be reserved; and he aimed at colonial freedom rather than republican independence; but as the majority of the assembly preferred the latter, he acquiesced in their decision, and consented to retain the command of that army which was destined to secure it: the revolutionary

¹⁴ Memoirs of Franklin, vol. ii. p. 13.

leaders now clearly saw that the period was arrived when it became necessary to try this experiment: the commissioners appointed by the British government¹⁵ to attempt a reconciliation were on their passage; and unless the provincials should commit themselves by some authentic act to the rejection of their proposals, the prospect of independence might be closed for ever.

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Pursuant to instructions received from his constituents, the motion for declaring the independence of America was made on the seventh of June by Richard Henry Lee, of Virginia: long and vehement debates ensued on this measure, which found its principal supporter in the celebrated John Adams, and its great opposer in John Dickinson. On the question being put, six colonies voted in the affirmative, and six in the negative, the delegates from Pennsylvania being equally divided: the debate therefore was resumed on the ensuing day, when Mr. Dickinson relinquished the principle which he had so strenuously maintained, and by his vote decided the contest. Congress then assuming a new title, as 'representatives of the United States of America,' published on the fourth of July a declaration, or act of independence,¹⁶ in which they assigned reasons for withdrawing allegiance from the king of Great Britain. From this document they discarded that constitutional language in which complaints are usually addressed to the throne by loyal subjects, and directed their charges in the most unqualified terms against the throne itself; no longer complaining of a British parliament, or a British ministry, but of a British king; summing up the whole by declaring, 'that a prince, marked by every act which may define a tyrant, is unfit to be the ruler of a free people: consequently, congress, in the name and by the authority of the good people of America, had solemnly published and declared that the colonies

Declara-
tion of in-
dependence
by con-
gress.

¹⁵ In conformity with the act of parliament passed in the beginning of this year to prohibit and restrain the trade and intercourse of the refractory colonies, and enabling persons appointed by the king to grant pardons and declare any district in the king's peace, &c., lord Howe was on May 3rd declared joint-commissioner with his brother general Howe for the latter purpose.

¹⁶ For this act, see the Appendix.

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were free and independent states, absolved from their allegiance to the British crown; that all political connexion between them and Great Britain was broken; and they, as free and independent states, had full power to levy war, conclude peace, contract alliances, and establish commerce.'

This decree, extolled in some quarters as a noble effort of human wisdom and manly spirit, but stigmatised in others as an arrogant, intemperate ungrateful act, supported by shallow sophistry, was received with silent contempt at the British court. With respect to foreign powers, it afforded, as might have been expected, a pretext to some for gratifying their malice against England by preparing for hostilities, and to others for pursuing their private interests in commercial connexions with the revolted provinces: from the Americans in general, whose press was enslaved by the popular party, it met with great applause; being well adapted to their taste, and calculated to give a new impulse to their desires. On the fourth day after the British fleet arrived off Sandy Hook, congress ratified this declaration: it was published at the head of the American troops; and though they were eye-witnesses of the immense force prepared to act against them, both officers and men testified a hearty concurrence in the decree; willingly appealing to the decision of the sword, whether they should inhabit free states or conquered provinces.

Measures
of lord
Howe.

Lord Howe, though much chagrined to find so powerful an obstacle raised against his mediatorial commission, resolved nevertheless to make such efforts as were still practicable to bring about an accommodation. On the fourteenth of July he sent ashore, by a flag, a circular to the late governors of the colonies, acquainting them with his civil and military powers; and he desired them to publish, as generally as possible, a declaration which accompanied his letter, explanatory of his commission to grant pardons, to proclaim the restoration of any colony or district to the king's peace, by which the effect of the restraining act would cease; and to encourage measures tending

to establish legal government and good order: but his circular and declaration were artfully published in all the newspapers by congress, with a preface or comment calculated to destroy their effect. His lordship opened at the same time a direct communication with general Washington; but that officer, taking advantage of a deficiency of form in the address of a letter,¹⁷ raised a cavil on this ground to prevent a conference which would have been very embarrassing to him at so critical a period; which conduct of his was highly commended by congress. As a last resource, the British admiral entered into a correspondence on the subject with Dr. Franklin, with whom he had formed an acquaintance in England; but the little probability of any satisfactory result appeared clearly from the doctor's answer to his lordship's first letter, in which he observes,—‘The official despatches, to which you refer me, contain nothing more than what we have seen in the acts of parliament,—offers of pardon on submission; which I am sorry to find; as it must give your lordship pain to be sent so far on so hopeless a business: the directing of pardons to be offered to the colonies, who are the very parties injured, expresses indeed that opinion of our ignorance, baseness, and insensibility, which your uninformed and proud nation has long been pleased to entertain of us; but it can have no other effect than that of increasing our resentment. It is impossible we should think of submission to a government, which has, with the most wanton barbarity and cruelty, burnt our defenceless towns in the midst of winter, excited savages to massacre our farmers, and slaves to murder their masters; and which is even now bringing foreign mercenaries to deluge our settlements with blood. These atrocious injuries have extinguished every remaining spark of affection for that parent country which we once held so dear: but were it possible for us to forget and forgive them, it is not possible for you (I mean the British nation) to forgive the people whom you have so heavily injured: you can never confide again in

¹⁷ Directed to ‘George Washington, Esq.’

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those as fellow-subjects, or permit them to enjoy equal freedom, to whom you know that you have given such just cause of lasting enmity: this must impel you, were we again under your government, to endeavor to break our spirit by the severest tyranny, and obstruct, by every means in your power, our growing strength and prosperity.' After intimating, that if, by the mention of a lasting peace in his lordship's epistle, is meant a peace to be entered into between Great Britain and America as distinct states now at war, this, he ventures to say, though without authority, would be practicable; but he feels persuaded that his lordship has no such powers entrusted to him. Disclaiming the vanity to think that he shall intimidate Great Britain by predicting the effects of the war, knowing that this will have the fate of all his former predictions, not to be believed until verified by events,—he goes on to say:—'Long did I endeavor, with unfeigned and unwearied zeal, to preserve from breaking that fine and noble China vase, the British empire; for I knew that, being once broken, the separate parts could not retain their share of the strength or the value which existed in the whole, and that a perfect reunion of those parts could scarcely ever be hoped for.' Toward the conclusion, he adds the following most sensible and judicious observations:—'To me it seems that neither the obtaining nor retaining of any trade, however valuable, is an object for which men may justly spill each other's blood; that the true and sure means of extending and securing commerce, is the goodness and cheapness of commodities; and that the profit of no trade can ever be equal to the expense of compelling it, and of holding it, by fleets and armies.' In reply, his lordship acknowledged that the powers with which he was invested were not calculated to effect a reunion with America, except as subject to the crown of Great Britain; and seeing the inutility of any farther efforts at negotiation, he prepared himself for the decision of the sword.

Defeat of
the Ame-
ricans on
Long
Island.

The British army, having received large reinforcements, especially of Germans, passed over the Narrows

to Long Island on the twenty-second of August, pushing their detachments across the country through Flatlands toward the Sound: these being opposed by a body of troops under generals Sullivan, Putnam, and lord Stirling, a severe contest ensued; but the British right, under Clinton, having dexterously out-flanked the left of the enemy, while the Hessians vigorously attacked the centre, the Americans were put to flight. Lord Stirling, who commanded their right wing, finding that the English had penetrated to the rear, gave orders for a retreat; and to secure it, boldly attacked the division under lord Cornwallis; but being assailed by general Grant, he was repulsed and taken prisoner. The lines of Brooklyn received the shattered troops of the provincials, who were said to have lost about 1200 men in killed, wounded, and prisoners; among the latter of whom were generals Sullivan, Udell, and lord Stirling, with ten other field-officers; but of the British and Hessian troops not more than seventy were killed, and about 200 wounded. This was a very inauspicious commencement of the campaign for the Americans: it might probably have decided the contest, had the English general known how to take advantage of success, or the American commander in chief possessed less fortitude to bear defeat, and less sagacity to repair his losses. The lines of Brooklyn were not formidable, and might easily have been forced in the consternation of the moment; but Howe, a general said to be fitter for parade than for the field, with cold and dilatory caution checked his troops in the full career of victory. 'It was apparent,' he said, 'that the lines must become ours at a very cheap rate by regular approaches; I would not therefore risk the loss that might have been sustained in the assault;' so he ordered the troops back to a hollow way, out of the reach of musketry. Washington, who had passed over from New York during the battle, is said to have burst into the most poignant exclamations of anguish at the inextricable fate which had overtaken some of his best troops, and hung over the remainder: suddenly however he saw

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a gleam of hope through the surrounding gloom: while the British general therefore was preparing his regular approaches, and breaking ground with due form within 600 yards of the nearest redoubt, he effected a masterly retreat by night across the East river, with such order, secrecy, and silence, that the English were only aware of it when the rising sun showed them the rear guard already in their boats and out of danger. From the commencement of the action on the twenty-seventh until the last boat left Brooklyn, it is said that Washington was without rest or sleep; and during most of that time on horseback: within musket-shot of the British army, he embarked 9000 men with their arms, ammunition, and greater part of their provisions and cannon; conveying them across a strait, half a mile in breadth, without any confusion or interruption. Such signs of coolness, intrepidity, and skill, in their general, were worth more than a victory to the Americans.

Conference
on Staten
Island.

Soon after this transaction, general Sullivan was despatched on his parole, with a verbal message from lord Howe to congress, importing, that although he could not at present treat with them as an authorized body, yet he had pacific proposals to make, which he was very desirous of laying before some of their members, in the capacity of private gentlemen. The members of congress knew well that the admiral could have no terms to offer which they would accept; but as the people might entertain a different opinion, and be uneasy if he were not heard, they appointed a deputation, consisting of Messrs. Adams, Rutledge, and Franklin, to meet his lordship on Staten Island, which he had himself selected as the place of conference. The committee, being arrived at Amboy, a little town of New Jersey, were conveyed over to the island in the admiral's barge; one of his principal officers being directed to remain as a hostage for their security: Franklin however knew well that lord Howe's soul was the very seat of honor, and with due consideration carried back the officer in the barge. The admiral met them at their landing, and conducted them

through his guards: he expressed some surprise at their confidence in bringing back his hostage, but more at the little estimation in which they appeared to hold his offers of pardon and of inquiry into their grievances. He seemed to have flattered himself that congress, humbled by the late defeat, would have been more submissive and compliant; but he was mistaken: the committee told him, that if he had nothing else to propose, he had come too late; the humble petitions of congress had been rejected with contempt; independence was now proclaimed, and the new government formed: and when his lordship expressed his affection for America, and his concern at viewing her dangerous situation, saying, that to see her fall would give him as much pain as to see a brother fall, they answered, 'that it was kind; but America would endeavor to spare him that pain.'¹⁸ A report of this conference having been made to congress, and published, materially assisted their views, by confirming the people in a determination to seek for independence in the contest of arms.

But it was not to the contest of arms alone that their sagacious leaders looked for success. The history indeed of this great revolution is commonly read in the operations of armies and the local acts of congress; but these, humanly speaking, must have failed against the obstacles of distracted counsels of an imperfect constitution, and ill-paid, changing, and partially disaffected army, with a powerful enemy commanding the ocean, and firmly fixed on the strongest point of their coast, had not their diplomatic agents adroitly seconded the efforts of commanders and patriots at home. A rare combination both of persons and things was requisite for the safety of the United States; and it was found: in the assistance of other powers, and above all in that of France, lay their ultimate hopes of success: without the subsidies and supplies obtained from that country at an early period of the revolution, and without the subsequent co-operation of her fleets and armies, the cause of American indepen-

¹⁸ Memoirs of Franklin, vol. ii. p. 21.

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Views of
France.

dence must have been hopeless. France had in great part recovered from the disastrous effects of her late contest; but, still smarting under the disgraceful terms of peace imposed on her, she was charmed with the prospect of humbling her hated rival: during the latter period of the reign of Louis XV. no tone or direction from the court or cabinet was given to this feeling; for all were absorbed in sensualities, or engaged in low and vile intrigues: but when his successor ascended the throne, and such impurities were no longer tolerated, it had free scope for development; and a different spirit appeared in the French counsels, of which the American statesmen very skilfully took advantage.¹⁹

Organisa-
tion of
American
diplomacy.

The first measures for organising their foreign diplomacy, in 1775, arose out of the personal connexions of the colonists, who had been, or still were, resident in Europe: among these the principal were Dr. Franklin, who had lately returned to America; and Arthur Lee, a Virginian, who had been educated in England, and still resided there as Franklin's successor, in the office of provincial agent for the assembly of Massachusetts. The peculiar position which Dr. Franklin had occupied as agent for some of the principal states in America, the footing of intimacy on which he stood with many leading characters in England, his great knowledge of mankind, and skill in matters of business, added to the dignity of age, the reputation of a virtuous life, and fame acquired by science and philosophy, contributed to bring him forward as leader of that diplomatic band, through which the American congress gained access to the public mind of Europe. Much important business, directly and indirectly connected with foreign diplomacy, in petitions, memorials, and addresses, had been transacted by the intire body of congress, before its regular organisation, and separation into distinct departments: but soon after its second meeting, in 1775, a committee of five members²⁰ was appointed for the sole purpose

¹⁹ See Marshall's *Life of Washington*, vol. iii. p. 403, &c.

²⁰ These were Mr. Harrison of Virginia, Dr. Franklin, Mr. Johnson of Maryland, Mr. Dickinson, and Mr. Jay.

of opening a correspondence with friends of America in England, Ireland, and other countries for the advancement of commercial and political objects: its operations, however, were considerably embarrassed; for the undecided state of the colonies themselves tended to render all applications to foreign powers ineffectual; while the countenance of those powers was required by congress to direct its policy regarding the great question of independence: the first efforts therefore of the committee of correspondence were directed to obtain some accurate information on this latter point: accordingly, on the twelfth of December, 1775, they addressed themselves to Mr. Arthur Lee, then in London; informing him, that they had written to M. Dumas,¹ at the Hague, on this important business, with whom they requested Mr. Lee also to correspond, urging on him the necessity of great circumspection and impenetrable secresy:² they also forwarded £200 to defray present expenses. Mr. Lee applied himself diligently to the execution of this commission; and while his political connexions gave him great facilities for ascertaining the views of the British ministry, and their preparations for the ensuing contest, his intelligence concerning them proved of material service to his employers:³ nor did he neglect to obtain interviews with the French ambassador, who manifested a lively interest in the proceedings of the colonists, and a desire to gain as much information as possible about their present state and future prospects; all which he carefully forwarded to his own court: in consequence of this, a French agent, who turned out to be M. de Beaumarchais, the celebrated author of the 'Barber of Seville' and 'Marriage of Figaro,' was despatched to London for the purpose of prosecuting inquiries. This

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¹ A Swiss gentleman of great learning and political knowledge, whose acquaintance Dr. Franklin had made in Holland. He published an elaborate edition of Vattel, in 1770.

² North American Review, vol. xxxiii. p. 460.

³ 'His letters were usually entrusted to a confidential person, who was to deliver them with his own hand: they were without signature, and enclosed in an envelope with a fictitious address, commonly directed to lieutenant-governor Colden, of New York, who was a royalist: in case of accident therefore they would have been forwarded to him, without any suspicion of their origin.'—North American Review, vol. xxi. p. 461, note.

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gentleman visited Mr. Lee at his rooms in the Temple; where he informed him that the cabinet of Versailles proposed sending £200,000 sterling to the aid of America, in specie, arms, and ammunition; but that there was some difficulty in discovering a proper channel through which the remittance could be made: St. Eustace, Martinique, and Cape François were mentioned; and the latter was fixed on as the most suitable place. Mr. Lee's visiter then said, the goods would be ready there, and might be received by persons inquiring of the commandant for M. Hortalez: he also requested that a small shipment of tobacco might be sent from some American port to give a color of mercantile business to the proceedings, and prevent suspicion. This arrangement was made early in the year 1776; and as soon as it was settled, M. de Beaumarchais returned to Paris.⁴

In pursuance also of instructions received, M. Dumas approached the French ambassador at the Hague, and laid before him the wishes of the American correspondents, together with a memorial, showing how important it was to France to prevent the subjugation of the colonies by her great rival.

His excellency having demanded specifically what course the colonists wished France to pursue, it was answered,—1, to interpose her good offices for the purpose of bringing about a reconciliation with England, so as to secure their liberty to the Americans; and 2, failing in this, to admit them to an alliance with the house of Bourbon, for the sake of exclusive commercial advantages.⁵ The reply of the French ambassador, after having taken the instruction of his court, was in the following terms:—‘As to your first demand, the mediation of the king of France cannot take place while the colonists are subjects of the king of England, who would not accept it: with regard to your second, the king is a true knight; his word is sacred; he has given it to the English, to live in amity

⁴ See North American Review, vol. xxi. p. 463.

⁵ North American Review, vol. xxxiii. p. 461, where the Reviewer observes, that, by the house of Bourbon, M. Dumas probably meant to comprehend the governments of France and Spain.

with them, and he will hold to it. While France is at peace with England, he will not ally himself against her with the colonies, and will not furnish aid to the latter: but for the same reason, the Americans will have the same protection and liberty as all the other English, to resort to France, to export thence merchandise, arms, and munitions of war; without, however, forming magazines of them in France, which is not permitted by any nation: besides,' he added, 'the colonies have no need that either France or Spain should enter into this war: commerce alone will furnish the Americans with all they want to defend themselves.'⁶

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France, in fact, had now adopted her line of conduct; not indeed a very ingenuous one—to maintain an apparent neutrality, while she gave secret assistance to the colonists. It was some time before the cabinet of Versailles decided on this policy; as there was a party, with the king himself at their head, who could not reconcile it to the faith of treaties: but Maurepas and Vergennes, men of talent and decision, unequivocally declared their opinion, that the interest of France required that power to promote a separation between England and her American provinces; and, by a constant discussion of the question, together with the employment of ingenious and able writers,⁷ they succeeded in bringing over the majority to their views, and removing many scruples among the rest.

Meantime the committee of secret correspondence in America, seeking a more extensive and formal intercourse with Europe, had appointed Silas Deane, one of the members of congress, to proceed to France as a commercial and political agent. Arriving at Bourdeaux on the sixth of June, 1776, he assumed the character of a merchant from Bermuda, and waited some time for the arrival of several vessels, which were to be sent out by the committee, with a view of supplying him with means to effect the mercantile objects of his mission; but receiving no intelligence of these, he

Mission of
Silas Deane
to France.

⁶ Correspondence of M. Dumas, vol. ix. p. 268.

⁷ Particularly Messrs. Favier and Pfeffel, whose papers had a great effect.

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proceeded to Paris in the beginning of July, under the pretext of purchasing goods for the Indian trade in America.⁸ He had copious instructions for his intercourse with the French ministry; and, being supplied with letters of introduction to the friends of America by Dr. Franklin, he soon obtained an audience of the count de Vergennes; and that minister held to him language similar in import to what has been detailed from the correspondence of M. Dumas; advising him to continue for the present in his assumed character of a merchant; informing him also that the British ambassador knew of his being in Paris, and would carefully watch his motions.

It was Mr. Deane's next task to look round for a credit in the name of congress, and endeavor to procure such articles as he wanted; but here he met with unexpected difficulties: news had arrived of Montgomery's defeat in Canada; and the British ambassador took great pains to spread abroad the rumor of an approaching reconciliation;⁹ so that no merchants or capitalists could be found, who would give a credit to congress without adequate securities: these the American agent was unable to command; no remittances had yet been received; and the bills which he had brought with him had been for the most part protested, and returned on his hands. In this state of perplexity, he became acquainted with M. de Beaumarchais, the same who had visited Mr. Lee in England; and who now proposed to furnish the supplies, allow a reasonable time for payment, and take the security of congress, pledged by its agent: astonished at this extraordinary proposal from a man of Beaumarchais's character, Mr. Deane took the precaution of consulting the count de Vergennes; who assured him that he need entertain no doubt respecting the character and means of M. de Beaumarchais, who would unquestionably fulfil his contracts and promises; the proposals therefore were accepted, and a list of articles made out, which included clothing for 20,000 men, 30,000 muskets, 100 tons of powder, 200 brass cannon,

⁸ North American Review, vol. xxi. p. 463.

⁹ Ibid. p. 465.

twenty-four mortars, and a large quantity of other stores: these Beaumarchais undertook to procure; observing that he could purchase most of them from the king's arsenals, and procure a credit of eight months: in the end, however, he was not so successful as he expected; for he obtained little, except the cannon and mortars, from the royal stores. The next difficulty was the mode of shipping these supplies for America; since, the moment they began to move, spies were ready to give notice to lord Stormont, and thus create an alarm in the French cabinet, lest it should be charged with a breach of treaty: accordingly, orders were given to stop the issue of such articles, and then counter orders to let them be moved; all tending to perplex the agents and to increase the expense; and when at last they were conveyed to the coast, new orders came to stop their embarkation. Spies, stationed at every port, sent continual intelligence to lord Stormont, whose remonstrances caused this wavering conduct; insomuch that Beaumarchais was obliged to go himself to Havre, about the end of November, with a view to despatch two of the ships from that port. With great difficulty, and in the face of a prohibition sent from Paris, he succeeded in getting the *Amphitrite* to sea, ordering her to be cleared out for the West Indies: she arrived at Portsmouth, in New Hampshire, in the month of April following, with a very seasonable supply of about 10,000 stand of arms, sixty cannon, and a large quantity of clothing; but her captain, when he returned to France, was imprisoned for acting contrary to the tenor of his papers.¹⁰ Another part of Mr. Deane's diplomacy consisted in his engaging the marquis de la Fayette, the baron de Kalb, and other officers, in the cause of independence, with a promise of specific rank and pay in the American service: this indeed was an unauthorised assumption of authority, and was much censured by congress; as it deranged their plans with regard to the army, and produced much uneasiness and dissatisfaction in the American ranks. His excuse was, that he was so-

¹⁰ North American Review, vol. xxi. p. 468.

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licited in strong terms, and in the highest quarters, to accept these offers; that the state of affairs rendered influence among the higher classes of society essential; and that it was deemed important in France to send out such officers with the military articles: his own impression also was, that able and experienced men would be very serviceable to the American cause.

The time however had now arrived, when congress, having proclaimed independence, and established a separate government, began to seek more intimate relations with foreign powers: accordingly, in the month of September, 1776, three commissioners were appointed to meet in Paris, for the purpose of proposing a treaty of commerce, and soliciting aid to carry on the war: the first chosen were Dr. Franklin, Silas Deane, and Mr. Jefferson; but the latter gentleman declining the appointment, Mr. Arthur Lee was substituted in his place. Franklin set out from Philadelphia on the twenty-seventh of October, and embarked in the *Reprisal* sloop of war, carrying sixteen guns, which was frequently chased by British cruisers during her passage, and several times prepared for action; but as often escaped by her superior sailing: on the twenty-ninth of November she ran into Quiberon-bay, when the commissioner landed and proceeded to Nantz, where he stayed some time to recruit his health, and arrived in Paris about the end of December.¹¹

The deputies had an early interview with the count de Vergennes, to whom they presented articles of a proposed commercial treaty, which were received with a promise of being taken into due consideration. On the fifth of January, 1777, they laid before that minister a memoir, drawn up at his request, containing the substance of their instructions; whence it appeared that they were required to apply to France for eight ships of the line, to be equipped and manned at the expense of the United States, either in the way of loan or purchase, as might best suit the French court; also for an immediate supply of 20,000 or 30,000

¹¹. *Memoirs of Franklin*, vol. ii. p. 50.

muskets and bayonets, with a large quantity of ammunition and brass field-pieces: it was hinted, that without such assistance, they would probably be unable to maintain the contest with Great Britain; nor did they forget to set forth the extent and value of American commerce, and its importance to France. A copy of the above communication was sent to count d'Aranda, the Spanish ambassador; for the commissioners seemed to consider the interests and views of the two courts as the same, and were themselves authorised to treat with both.

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The minister's language, in reply to these representations and requests, was nearly the same as he had always used to Mr. Deane;—that the king was prohibited by existing treaties with Great Britain from entering into alliance with America, or taking any part in the contest; but he was friendly to the states, and would give them all the commercial privileges in his ports that were enjoyed by other nations; also that they might consider themselves under the protection of the government while in France, and communicate freely with ministers on the subject of their mission.

Such being the decision of the French cabinet, it was evident to the commissioners that all of them need not remain in Paris: besides, certain indications having led them to believe that a visit to Spain might prove advantageous to their cause, Mr. Lee undertook a mission to that country; being fortified by a letter to the court of Madrid from the count d'Aranda: he was however stopped at Burgos, and there met by the marquis de Grimaldi, one of the Spanish ministers, with M. Gardoqui as interpreter: by them he was given to understand that sound policy required him to abstain from going on to Madrid; and he was earnestly requested to proceed to Bayonne, and there wait the determination of the Spanish court. Notwithstanding his remonstrances, he was obliged to acquiesce in this plan; but at Vittoria he had a second conference with the marquis de Grimaldi, who, having listened to Mr. Lee's exposition of the advantages to be obtained

Mr. Lee's
mission to
Spain.

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by Spain, in securing the friendship of a rising nation, and humbling the power of England, made the following brief and explicit reply:—'You have considered your own situation, but not ours: the war with Portugal (France being unprepared, and our treasure from South America not yet arrived) makes it improper for us to declare our intentions immediately; these reasons will probably cease within a year, and then will be the moment.'¹² It seems however to have been resolved, before the commissioner's arrival, to afford secret assistance to the Americans; and a plan for effecting it was settled at these interviews, as is clearly shewn by Mr. Lee's correspondence. The promises given on the part of Spain were faithfully performed; more than one shipment being made by M. Gardoqui, of articles procured by him at the gratuitous expense of government, and secretly despatched to confidential agents in the United States, for the service of congress: also 375,000 livres were remitted by the king of Spain to Mr. Lee, as a free gift, and expended by him in the purchase of supplies.¹³ When he joined his fellow commissioners in Paris, he found them busy in getting off secretly the stores furnished by Beaumarchais before their arrival; and they gradually effected a shipment of the whole, as well as of a large quantity which they continued to purchase in other quarters; while the French ministry winked at these transactions; but occasionally threw obstacles in their way, whenever the English ambassador remonstrated or complained. In the mean time new perplexities arose from the American cruisers, which began to harass the English coasting trade,¹⁴ and to send prizes into French ports; some of which were sold by order of government, others ordered off, and several detained for legal adjudication: indulgences were sometimes granted in a concealed manner, and orders of release obtained; but the commissioners had a difficult part to play, in aiding as much as possible the enterprise and activity of their own privateers,

¹² North American Review, vol. xxi. p. 472.¹³ Ibid. p. 273.¹⁴ Memoirs of Franklin, vol. ii. p. 57.

while every motive of policy required them to study the disposition, and conform to the wishes of the French court. Nevertheless, substantial assistance was afforded to them by that court: soon after their arrival in Paris, they were told that two millions of livres would be appropriated to the use of congress,¹⁵ and paid by quarterly instalments: the first payment of 500,000 livres was advanced immediately; and this money the commissioners determined to reserve exclusively for paying the interest of a loan in the United States; and they wrote to congress, that bills might be drawn on them, from time to time, for such purpose, to the full amount of the money granted by the French king: their own expenses they expected to defray by the proceeds of cargoes to be sent by congress to France; though it turned out that few shipments were successful, or even attempted. These deputies also increased their resources, by a contract with the farmers-general for 5000 hogsheads of tobacco, receiving one million of livres in advance, and another as soon as the first ships with the cargo should arrive: with these funds they purchased military stores, and began to build a frigate at Amsterdam, and another at Nantz.¹⁶ Such were the general operations of the commissioners during the first year of their residence in Paris, where they appeared as commercial agents, but not recognised by the government as holding any official situation: the time for assuming that character was not yet arrived.

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We left Washington in a very critical position at New York; part of his army being stationed in the environs of that city, and part at Kingsbridge, on the extremity of York Island, next the continent. Apprehensions being entertained, that the British general, by landing his forces in the centre, might cut off the communication, a resolution was taken to evacuate the city, and retire on Kingsbridge, where some strong works had been erected.

Prospect
of Wash-
ington.

The British troops, which had been already disembarked, were now put on board the vessels again,

¹⁵ North American Review, vol. xxi. p. 474.

¹⁶ Ibid. p. 476.

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with a view of landing at West Chester, gaining the rear of Washington's encampment, and enclosing him on all sides within his fortresses: had the English general taken this resolution earlier, he might have reduced his adversary to the necessity of defending the island, or of forcing a way through the British lines. The American commander, alarmed by the remonstrances of general Lee, who had recently joined him, perceived the necessity of a movement to counteract this project; and, immediately decamping with his whole force, he took up a strong position extending from Kingsbridge on the right to White Plains on the left, with the deep river Bronx covering his front.

British at-
tack and
capture of
New York.

Before the surrender of New York, Washington had proposed to congress that the city should be burned, rather than left in the hands of the English. In our own days the execution of a similar project has sufficed to destroy the most magnificent army that Europe ever saw collected on its plains: in the present case, congress, more pusillanimous than their chief, gave a decided negative to his proposal, and probably sacrificed a thousand times more property, as well as a multitude of lives; but notwithstanding this injunction, the city was set on fire, whether by accident or design, in several places, and about one-third of its buildings consumed: a few incendiaries fell a sacrifice to the rage of the soldiers; and nearly 200 individuals were arrested on suspicion: but, though large stores of combustibles were found concealed in cellars, nothing led to the detection of any conspirators; and the affair remains involved in a mystery which probably will never be disclosed. Washington was attacked on the twenty-eighth of October, by the royal army, which advanced within cannon-shot of his lines, driving before them several detachments, and thereby creating considerable alarm in the camp: the enemy's centre was easy to be assailed; but Howe, neglecting that point, ordered a strong detachment of the left wing, under general Macdougall, to attack an eminence, on which 4000

men were advantageously posted, probably for the purpose of covering a retreat, if necessary. The importance of this place was mistaken; and the attack was hardly less hazardous, or the action less severe, than it would have been if the lines had been assaulted: it was however carried; but the right and centre of the British did not move, and the victory gained had very little effect; for the Americans after the battle remained tranquil within their intrenchments, and for several days each army was employed in strengthening its position: the provincials endeavored to render their lines impregnable; and the British general, desirous of taking up a strong position in their rear, so as to cut off a retreat, waited till his reinforcements should come up: when these arrived, he made dispositions for storming the intrenchments on the last day of October; but incessant rains prevented the execution of this plan, and the Americans completed their fortifications. Washington however did not feel confident in his defences; for having learned that an assault was intended next morning, he drew off his troops across the Croton, and took a stronger position among the highlands, having his front defended by the river, and his rear by woods and heights.

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General Howe, perceiving that from the nature of the country, he could not force the American commander to join battle, now made a retrograde movement, and invested Fort Washington, a strongly fortified post on York Island, which secured the communication with New Jersey: colonel Magaw, the gallant commander of this fortress refusing to surrender at general Howe's summons, on the fifteenth of November, it was carried by a furious assault next morning, when the whole garrison were made prisoners: the loss on the British side was 800 in killed and wounded; that of the enemy in killed, wounded, and prisoners, exceeded 3000. Immediately after this success, lord Cornwallis advanced against Fort Lee, on the Jersey shore; but being an unimportant place after the capture of Fort Washington, it was abandoned by the garrison, who retired with such

Capture of
Fort Wash-
ington.

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precipitation, as to leave all their artillery, provision, and stores. The Americans, who had crossed the Hudson with a view to protect New Jersey, found themselves compelled to retreat with a very diminished force to Newark; whence they fell back to Brunswick on the approach of lord Cornwallis.

It was now late in the year: most of the New England militia had returned home, their term of service being expired: the Maryland and Jersey levies availed themselves of the same privilege at Brunswick, even while the enemy was in sight: the loss of baggage, with fatigue and sickness, overcame every other consideration; until the grand army, on which hung the destinies of America, dwindled down to about 3000 men, deprived of tents and camp equipage, half naked and barefooted, disheartened by misfortunes, and almost without hope. The spirit of its commander, sustained by the resolution of his officers, particularly of major-general Greene, enabled him to pass through this ordeal with a calm undaunted countenance, and to save the remnant of his forces from immediate dissolution.

As the van of lord Cornwallis's army advanced by forced marches to New Brunswick, Washington retreated to Princetown; having first demolished the bridge leading to the former place, over the Rariton. As his lordship had received positive orders not to advance beyond Brunswick, he sent an earnest request to the commander in chief to revoke them; but in vain: he was ordered to wait for a junction of their forces. In this interval Washington decamped, with his heavy artillery and stores; crossing the Delaware on the eighth of December, and securing every boat, to prevent the passage of his pursuers; while the British army, as if calculating the time necessary for the enemy's escape, entered Trenton as the last boat of the Americans left it: here general Howe abandoned the pursuit, until the ice should afford a passage over the river; meanwhile he cantoned his army in detachments along the left bank of the Delaware, at Trenton, Princetown, and New Brunswick. Had

general Clinton accompanied lord Cornwallis in this campaign, or been sent, according to his own earnest entreaty, with lord Howe's fleet to attack Philadelphia, a very different result would in all probability have ensued. As if anticipating such an attack, and dreading the consequences, congress broke up its meeting, and fled to Maryland: dissensions became prevalent among its members; and some even applied to the commissioners for protection: but Clinton was despatched against Rhode Island, because lord Howe thought its occupation necessary for the fleet: the attack was successful, for it was conducted by a man of energy and talent; but the opportunity of striking an early and decisive blow against the colonists was lost.

During the late career of victory, lord Howe and his brother issued a proclamation, recapitulating their former offers, and promising free pardon to all who, within sixty days, should appear before any governor, or military commander, and engage to continue peaceable and loyal subjects of his majesty; the lenity of which measure, added to the success of the army, produced such an effect, that if the British troops had been able to march at once to Philadelphia, that capital would have surrendered, and would perhaps have drawn the whole confederacy after it.

The partisans of congress were also very disheartened by the capture of general Lee, whose talents were as much admired by the colonists as they were dreaded by the English: his discernment had already saved an American army from destruction; and Washington, though he viewed him with no friendly eye, was still anxious to have his presence and assistance. On the thirteenth of December, as this able officer was advancing to join the commander in chief, he quitted his camp before Morris-town, on a reconnoitring expedition, and stopped at a place called Basking-ridge to breakfast: he was there surprised by colonel Harcourt; who, with a party of light horse, was watching his movements, and had received intelligence of his position. Having made every possible disposition to

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Capture
of general
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prevent escape, Harcourt rode up to the house, disarmed the sentinels, forced open the door, and took the general prisoner; who was instantly mounted, and conveyed with great celerity to the British camp. This exploit caused deep regret in the provincial army; and Washington, not having at that time any prisoner of equal rank with general Lee, proposed to liberate six British field-officers for his exchange; but, as general Howe chose to consider him in the light of a deserter rather than a prisoner, though he had resigned his commission before the commencement of hostilities, no offer or solicitation could procure his release; and he was put under strict confinement: this conduct so exasperated congress, that they deprived several British officers of their parole, and declared that the treatment experienced by general Lee should form the model of their conduct with regard to prisoners of war. At no period of this distressing series of events did the firmness of that body desert them; nor did they ever lose sight of their grand object, independence and separation from Great Britain. Soon after their declaration to this effect, they voted articles of union and confederation for the 'United States of America,' and reserved the general dependence of each state for the decision of delegates in congress, without depriving any of their freedom of action in regulating their own internal government. They passed a vote for raising by loan, at four per cent., 80,000 dollars; for which certificates were to be given, and the public faith pledged to the lenders for principal and interest: these certificates, which were transferable, were not only made legal tenders; but the refusal to accept them in the course of exchange was made punishable by a heavy penalty. Another mode of raising money was by a lottery of 400,000 tickets, in which 5,000,000 of dollars were distributed in prizes. To reanimate the drooping spirits of the people, they published an address, recapitulating their grievances and complaints against the mother country, fabricating new charges out of the manner in which the war was conducted, boasting of

the aid already obtained and still expected from foreign powers, speaking contemptuously of British valor, and decrying the terms of submission offered by our commissioners. Even when congress was compelled to abandon Philadelphia and take refuge in Baltimore, by no act did they testify despair, or want of public spirit: on the contrary, their conduct then assumed a high degree of moral dignity; they merely adjourned the assembly from the twelfth to the twentieth of December, and in the mean time appointed a solemn fast.

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The army at this period was in a miserable state; its enthusiasm being nearly exhausted, and the troops looking with eager expectation to the expiration of their term of service; so that their commander, after having formed a few soldiers, felt the mortification of being obliged to train a new army. This second differed in many respects from the first: the men were raised chiefly at the instigation of others, and brought with them sordid views and personal animosities, which threatened ruin to the cause of freedom: the studied parsimony of congress neither allowed sufficient bounty to recruits, nor pay to officers; so that these latter had recourse to low arts, for the purpose of increasing their miserable means of subsistence: some even exercised trades for this purpose; and it is said that one of them was seen, in the presence of several persons of consideration, shaving his own corps:¹⁷ local animosities were violent; and the militia were negligent, undisciplined, and refractory.

State of
American
army.

Washington continually represented to congress the improvidence of raising military forces for so short a period as one year; and pointed out the necessity of vigor and liberality, by enforcing levies, extending the time of service, and augmenting bounties. It was long before that body could divest themselves of their fear of a standing army, or cease to regard its great commander without a degree of suspicion: at length, however, they yielded to his representations; and on the sixteenth of September, passed a vote for raising eighty-eight battalions to serve during the war, fixing

¹⁷ Adolphus's History of George III. vol. ii. p. 367.

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a proportion for the different states: a bounty also of twenty dollars was offered to each private, and portions of land promised both to officers and soldiers, with a reversion to their widows or representatives, at the end of the war; to a colonel, 500 acres, and to a non-commissioned officer or private, 100.¹⁸ All officers, except generals, were to be appointed by the governments of the different states; but some mean deductions were made from the pay of the soldiers: orders also were issued to prevent a monopoly of military stores, and for a better supply of gunpowder. But these measures were not adequate to increasing exigences: the commander still remonstrated, and advised that, instead of 88 battalions, 110 should be raised; yet even the former number could not be completed; nor could the militia be stimulated to exertion; and Washington saw reason to fear that ten days more would terminate the existence of his army.¹⁹

Brilliant
successes
of Wash-
ington.

In this emergency, he decided that something must be attempted, to raise the drooping spirits of his followers: accordingly, when general Arnold visited the camp, and suggested a daring manœuvre to be employed, he readily consented, and adopted a plan for putting it in execution.²⁰ The commander, while concentrating his strength by calling in distant divisions and volunteers, had himself remarked the detached corps of British and Hessians, far distant from each other, in a line of nearly eighty miles from the Hackensack to the Delaware: it also happened that the posts of Trenton, Bordenton, and Burlington, where the Hessians lay, under colonel Rhalle and count Donnop, were unprovided with works of defence; while the other posts, as if in defiance of reason, were made stronger in proportion to their distance from the enemy. Having obtained by Arnold's assistance a sufficient number of boats, he determined to cross the river; and, dividing his troops into three parties under

¹⁸ To a lieutenant-colonel 450, a major 400, a captain 300, a lieutenant 200, and an ensign 150.

¹⁹ Adolphus, vol. ii. p. 368.

²⁰ From Adolphus's private information.

himself and generals Irving and Cadwallader, he ordered them to meet him on the banks of the Delaware, by the twenty-fifth of December, when it was believed that the enemy would be enjoying the festive anniversary of Christmas in confident security. The division conducted by the commander in chief alone obtained success: the night was dark and very cold; while the passage was so retarded by a high wind, a swift current, and floating masses of ice, that four o'clock in the morning arrived before the troops could be formed on the Jersey shore: no difficulties, however, or delay disheartened Washington: he formed his detachment, consisting of 2500 men, and twenty pieces of artillery, into two divisions, under Greene and Sullivan, each of which took a different road; but, as the distances to Trenton were equal, they arrived there at the same time. The attack was made about daybreak, with a violent storm of snow driving in the faces of the assailants: the outer guards in their retreat kept up a running fire from behind houses; and the main body, attempting to form in the principal street, was dispersed by six pieces of artillery under captain Forrest, the fire of which was directed by Washington himself. At length, colonel Rhalle, with several other officers, being wounded, and the Americans beginning to surround them on all sides, twenty-three officers and about 900 men laid down their arms; but a troop of British light horse and about 500 infantry effected their escape to Bordenton: these also would have been captured, had not the disembarkation of the other divisions, under generals Irving and Cadwallader, been prevented by the ice. The prisoners, with their artillery and baggage, were all safely conveyed across the Delaware; and, being marched to Philadelphia, were there paraded in a species of military triumph, in order to animate the provincials, and show them that the dreaded Hessians were not invincible.

The American commander, finding that the scene of his late exploit was not re-occupied by the British forces, took advantage of this dilatory conduct, and again crossed the Delaware, undeterred by the quantity

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of ice formed on it, or the difficulties and dangers of a winter's campaign: but at this time so slight was his authority, that only by dint of strong persuasions, and an advance of ten paper dollars to each man, could he engage his troops, whose term of service had expired, to continue in the field six weeks longer. The re-appearance of his opponents on the left bank of the river alarmed the British general; and lord Cornwallis, who had reached New York on his road to England, was ordered back to take the command in the Jerseys: having effected a junction with general Grant, he found Washington posted on some high grounds not far from Trenton, where he attacked him with a severe cannonade, on the second of January, 1777; but he was met with firmness by detachments of the provincials, whose great object was to wear away the day, without the risk of a general engagement: night at length suspended the fight; and the hostile armies were separated only by a narrow stream, over which the last division of the Americans had been forced: their watch-fires were then lighted; the guards were doubled; a party was set to work at an intrenchment within hearing of the British sentinels; and every appearance kept up of a determination to abide the result of a battle on the morrow; but at midnight the American commander silently retired before superior numbers, and by a circuitous route moved his little army on Princetown, where a detachment of three British regiments and three troops of light horse were posted: this manœuvre was not discovered by his opponents till the morning, when a distant firing announced that their foe was nine miles in their rear, and that the magazines at Brunswick were in danger of destruction. About sunrise, Washington surprised the British troops at Princetown, under colonel Mawhood, who had just begun his march to join lord Cornwallis: the colonel at first mistook the American advanced guard for Hessians; but soon recognising his error, he gallantly charged, and threw them into disorder: the seventeenth regiment, under captain Scott, drove the enemy with fixed bayonets into a ravine, but was almost an-

nihilated by superior numbers: a part forced their way through them, and pursued its march towards Trenton; the other two regiments, after a fierce and obstinate struggle, in which Washington charged at the head of a close column, retreated, though with considerable loss, toward Brunswick: that town, however, with its important magazines, and military chest containing £70,000, was saved through the gallant resistance made by colonel Mawhood; and lord Cornwallis, apprehensive for its safety, when he discovered the retreat of the Americans, hastened to its relief. Washington now called off his fatigued troops; and having broken down the bridge over Stony-brook to prevent pursuit, retired unmolested to Pluckemin. The fruits of this victory were some stores of blankets and shoes, two brass field-pieces, and 300 prisoners, among whom were fourteen British officers.

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Lord Cornwallis found it necessary to halt at Brunswick, for the purpose of giving refreshment and repose to his army; whilst his opponent took this opportunity to overrun all East and West Jersey, penetrating as far as Essex county, where he made himself master of the coast opposite to Staten Island, by occupying Newark, Elizabeth Town, and Woodbridge. He fixed his head quarters at Morristown, a place difficult of access, in a mountainous region, with a fine country in his rear; whence he could draw supplies, and through which he could always secure a passage to the Delaware. With about 1000 regulars and 2000 militiamen, he assailed and harrassed general Howe's troops, recovered a great part of the Jerseys, and saved Pennsylvania, in defiance of a large and well-furnished army, which he kept at check in their line of posts from Brunswick to New York. Thus ended a campaign, glorious to the fame of Washington.¹

¹ 'No adequate vindication,' says Mr. Adolphus, 'appears for the strange manner in which the British troops were posted in the Jerseys. General Howe (he speaks from private information) adopted the measure in contradiction to his better judgment; but his error was in every point of view inexcusable. Equally culpable was the neglect of caution and discipline which facilitated the surprise at Trenton, for which colonel Rhalle paid with his life; but he alone was not blameable: general Grant, his superior in command, omitted the important duties of visiting his posts, giving his orders, and personally inspecting their execution.

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But the spirit of New Jersey was now roused to exertion, not only by unlooked-for success in arms, but by the insults, injuries, and licentiousness of their foes, particularly of the Hessian troops, who had overrun the midland counties of that state: details of each specific wrong were taken on oath, and published by congress in the newspapers, to irritate the inhabitants against the king and British nation: thus the determination of the loyalists began to waver, and many of them joined the republican cause. Knowing by bitter experience the evils of war, the militia watched every opportunity to strike their enemies, wherever any reconnoitring or foraging parties appeared; and their frequent success greatly relieved the commander in chief, until he could repair the mischief arising from short terms of enlistment.

Meeting of
parliament.

The British parliament met on the thirty-first of October, when the king declared that nothing would have given him so much satisfaction as the power of stating that the troubles in America were terminated, and the unhappy people returned to their duty; but so daring and desperate was the spirit of their leaders, that they had openly renounced all allegiance to the crown, and rejected with circumstances of insult and indignity every attempt at conciliation, presuming to set up their rebellious confederacies for independent states: if their treason were suffered to take root, much mischief must thence arise to the safety of the loyal colonies, the commerce of this kingdom, and indeed to the present system of all Europe; but though the success of the British arms gave strong hopes of a happy result, still it was necessary to prepare for another campaign. He recapitulated, as usual, the pacific assurances of European powers, and added, that in this arduous contest he could have no other object than to promote the true interest of his subjects. To the revolted colonists he was desirous of restoring the blessings of law and liberty enjoyed by every British

After the events at Trenton, the British army seems to have been paralysed by alarm; incapable of resolute measures for assailing a foe who still held them in terror; or for prudent defence of a province, which no force possessed by the Americans could have wrested from them.—History of George III. vol. ii. p. 374.

subject, which they had fatally and desperately abandoned for the calamities of war and the tyranny of their leaders.

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Addresses, which were, as usual, echoes of the speech, were brought forward in both houses; but an amendment, which was in reality an address in a totally different strain, was moved in the commons by lord John Cavendish, and seconded by the marquis of Granby. In this, and the debates which ensued; it was affirmed that the disaffection and revolt of a whole people could not have occurred without great faults committed against them; and these were imputed to want of sufficient information in parliament, and too implicit a reliance on ministers, whose schemes for the reduction or chastisement of a factious party had driven thirteen large provinces to despair. The rejection of petitions and complaints; the improper instructions given to commissioners for reconciliation; and the remissness shown in sending out even these, formed subjects of vehement reprehension: the endeavor made to break down the spirit and independence of any portion of British subjects was reprobated; and the project of extirpation by the sword designated as a most dangerous precedent. The mention of the word 'treason,' as applicable to the Americans, called forth violent animadversions, especially from Mr. Wilkes; and the interposition of the Bourbons was pronounced to be inevitable: all reliance on their pacific assurances was exposed to extreme ridicule; and colonel Barré prophetically asserted that a war of the most serious kind with France and Spain was impending over this country: in short, his majesty's speech, or, as it is now termed, the minister's speech, was reprobated as a compound of hypocrisy and tyranny; holding out law and liberty at the point of the sword; but, like a deceptive mirror, reflecting a false image of truth.

Debates on
America.

The cause of ministers was defended by lord North, instigated by the determined spirit of the king, and lord George Germaine, instigated by his own: the former strenuously denied a charge which had been alleged against him, of withholding information; de-

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claring that he invariably communicated to the house whatever could be divulged with safety: he also indignantly repelled the charge of hypocrisy advanced against that part of the king's speech which stated his desire to restore law and liberty to the colonists: law and liberty, he said, had fled from America; but the day's debate fully proved their existence in this country: the latter asserted, that even the American statements of lord Howe's propositions proved that he was eager to employ means of peace and reconciliation; but Washington was adverse. The forcible asseverations of France, he said, must be taken as proofs of her pacific intentions: should it be otherwise, Great Britain was prepared to cope with any enemy: 'but would the Bourbons, blind to their own interests, wish the spirit of independence to cross the Atlantic? could they be exempt from fear, lest their own colonists should catch fire at the doctrine of the unlimited rights of mankind, and prefer them to slavery and the digging of gold? and would not great danger arise from the vicinity of powerful states, freed from European control?'

The amendment was negatived by a majority of 242 against 87. In the upper house, lord Carlisle moved the address, and the marquis of Rockingham an amendment, similar to that of lord John Cavendish, which was followed by debates of equal violence. The earl of Shelburne designated the speech as a tissue of sophisms; a composition of unqualified absurdity, treachery, cruelty, hypocrisy, and deceit: in descanting on its different paragraphs, he pronounced them all utterly false, differing only in this;—that some of the falsehoods were fallacious, some specious, some gross and notorious.

The duke of Richmond exercised a sound discretion, when he declared that America was irretrievably lost to this country; and that our best policy would be to make the people our friends, even at the price of acknowledging their independence: but this doctrine was considered by lord Sandwich, and other such courtiers, as derogatory to the honor, and destructive

to the interests, of England: he would hazard every drop of blood, as well as the last shilling of our *national* treasure, rather than allow Great Britain to be defied, bullied, and dictated to, by her disobedient and rebellious subjects: even lord Shelburne declared, that he never meant this country to give up its right of commercial control over America, which was the very bond of connexion between them. It was strongly asserted by the friends of administration, that the open and daring hostilities which preceded the declaration of independency would never have occurred, had not a disobedient spirit been fomented by a party at home, which had shamefully sacrificed its country's interests to personal views of faction and ambition: as opposition had been heretofore grounded on the notion that the Americans did not aim at independency, so now there ought to be a complete unanimity in resisting their acts; and this would be the most decisive method of restoring peace to a distracted and divided empire. Great Britain, it was said, deprived of her colonies, would lose her importance in the European system, and might eventually become a province of the first ambitious power that attacked her: nor could England and Ireland, divided by the sea, and inferior in population, withstand the power of France, if they were divested of those sources of wealth and strength which flowed from their colonies.

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Soon after these debates, lord John Cavendish, having produced a copy of the proclamation issued on the capture of New York, proposed that, in conformity with its tenor, the house should resolve itself into a committee for revising those acts by which the colonists thought themselves aggrieved. Ministers however contended, that this inquiry into grievances had been proffered only to those who should return to their duty: a disavowal of independence and an acknowledgement of British supremacy were requisite, before any measures of reconciliation could be adopted by Great Britain. The proclamation was stated to be conformable to the spirit of all

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our proceedings; assuring the preservation of their constitutional rights to all that should return to their duty, but vindicating the authority and dignity of the parent state: to revise or repeal laws, for the sake of a people, who, denying the authority of such laws, could not be aggrieved by their existence, would be grossly absurd; if they persisted in their assertion of independence, our present force and recent success made it evident that we could soon reduce them to submission. In the course of the debate, ministers, though they agreed in opposing the motion, took in some measure different grounds: lord North dwelt still on conciliation, which he seemed to think might be effected by the commissioners; lord George Germaine and others trusted principally to compulsion. Opposition did not fail to remark and comment on this diversity of sentiment; though that body itself, distinguished as it was by the extraordinary eloquence and abilities of several among its speakers, labored still more under the same defect, and lost much power in counteracting ministerial schemes by its own want of unanimity and concert. On the present occasion, this difference of opinion concerning American independence, though discernible, was not so distinctly manifested as it afterwards became, when it produced a schism among lord North's political opponents. Mr. Burke and the Rockingham party early intimated a wish to treat with America without questioning her independence; to which opinion Mr. Fox acceded, avowing it with his usual openness, and supporting it with his characteristic energy: Mr. Dunning, colonel Barré, lords Camden, Shelburne, and Temple, with other connexions of the earl of Chatham, were anxious to conciliate the colonies by redressing their grievances, but to maintain stoutly the supremacy of Great Britain. The motion, which was complained of by ministers as a surprise and an unexpected manœuvre, (no business of importance having been expected before the recess) was negatived by a majority of 109 to 47.

After its rejection, many members of opposition,

particularly those of the Rockingham party, withdrew from the house whenever any question relative to America came on for discussion: they attended on ordinary business, and then retired, after making a formal bow to the speaker; alleging, that they were weary of opposing reason and argument to the deaf insolence of power and numbers. This secession was blamed by the majority of opposition itself, who contended that a member of parliament cannot, consistently with his duty, desert the interests of his country, merely from an opinion that he will be out-voted: he cannot infer from thence that his attendance will be useless; for a respectable minority, though it cannot carry its own measures, may often modify injurious laws and counsels by exposing their pernicious tendency: it was useless to say that such a secession might operate in certain cases as a call to the people, and awaken them to a sense of danger hanging over the constitution; for no great body could be expected to bend to a mode of conduct, which would appear to be dictated by caprice, or sullenness, or the mortification of party spirit. The resolutions on the army and navy estimates were voted without much opposition; and on the thirteenth of December both houses adjourned for the Christmas recess.

During the transaction of these affairs, circumstances occurred which enabled ministers still farther to excite hatred in the people against America. The story of a conspiracy in 1775, on account of which Mr. Sayre had been sent to the Tower, had failed in its intended effect, and by no means increased their popularity; but the present occurrence, from the mystery in which it was involved, and the probable guilt of the party, proved more favorable to their views. At the close of the year 1776, a conflagration took place at the ropeshouse in the royal dock-yard of Portsmouth; but the flames were fortunately prevented from extending to the other magazines: a fire also broke out on the seventeenth of January at Bristol, and destroyed six or seven warehouses. These circumstances excited much alarm in the mind of the public, and suspicion

Domestic
events.

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at length fell on John Aitken, an obscure Scotchman, by trade a painter, who was said to have lived many years in America, and who had been in Portsmouth and Bristol when the fires occurred at those places: he was arrested for a burglary in Hampshire; when several suspicious articles being found on his person, he was sent up to London, to be examined before the lords of the admiralty, and committed to prison: the principal evidence against him was that of another American painter, who had been employed to draw from him a confession, by apparently sympathising with his misfortunes: on the testimony of this man, John the painter was condemned and executed: before his death, he is said to have acknowledged his guilt to a commissioner of the admiralty, and to have accused Silas Deane, American agent at Paris, of encouraging him to make the criminal attempt. A bill was soon afterwards brought into parliament for more effectually securing his majesty's dock-yards. A new expedition was this year set on foot, to explore a north-west passage, not on the plan of former voyages, but through the Pacific ocean into the North sea: in this subject the king took a warm interest; and though, from feelings of delicacy toward the veteran captain Cook, who was considered as resting from his labors, he would not let the admiralty ask him to take the command, yet he graciously accepted the services of that great navigator when voluntarily offered: his majesty gave orders, not only that every comfort should be supplied to the voyagers themselves, but that all sorts of useful cattle, poultry, plants, seeds, and utensils should be provided for the benefit of the various lands already found, and such as might be now discovered or revisited. The issue of this expedition is well known: the unfortunate captain Cook fell a sacrifice to the fury of the Sandwich Islanders, in executing what he thought duty and policy required. The king did not neglect to alleviate the sorrows of his widow, while he took the promotion of his sons under his especial care.

CHAPTER XVIII.

GEORGE III. (CONTINUED.)—1777.

Meeting of parliament—Letters of marque granted—Lord North's bill for detaining in prison persons charged with high treason—Debates on it—Carried, with certain amendments—Warm debates on the accounts of last year—Additional demands of the landgrave of Hesse—Augmentation of the revenue of the civil list—Debates on it—Protest, &c. in the house of lords—Speech of sir Fletcher Norton to the king—Thanks of the house to him—Subsequent discussion thereon—Lord Chatham's motion for an address to the king—Rejected—Supplies for 1777—King's reply to the speaker when he presented the bills for royal assent—Lord North's exertion of patronage—Memorial presented to the States General—Views of the house of Bourbon not generally suspected—Trial, &c. of Dr. Dodd—Affairs of the East Indies—Mr. Hastings's administration in Bengal—Embarks for England—Affairs at the presidencies of Bombay and Madras—Extraordinary conduct of the latter in the case of lord Pigot—Parliamentary proceedings on it—Trial of the conspirators before lord Mansfield.

On the meeting of parliament after its recess, a bill was brought into the house of commons, for enabling the admiralty to grant letters of marque to privateers against vessels belonging to the revolted colonies; and it went through both houses without opposition. On the same day also lord North introduced a bill 'for enabling his majesty to detain and secure persons charged with, or suspected of, the crime of high treason, committed in North America or on the high seas, or the crime of piracy.' By its enactments, every one so charged or suspected was liable to be committed to any place of confinement appointed by the king, under his sign manual, within any part of his dominions, without bail or mainprize, and there detained without trial

Letters of
marque
granted
against the
Americans.

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during the continuance of the law. On its second reading, Mr. Dunning expressed much surprise, that a bill, which struck directly at the habeas corpus act, that pillar of British liberty, should be brought in without notice, and in so thin a house: he therefore moved that it should be printed; which was granted. The alarm thus excited brought back to the opposition benches several of the seceders; and a spirited discussion of the measure ensued, in which it was characterised as a bill for the production of spies, informers, and false accusers; furnishing means of gratification, emolument, and safety, to the most profligate of mankind; and enabling any revengeful minister or mercenary villain to satiate his revenge or replenish his purse at the expense of the virtuous. 'Who knows,' said Mr. Fox, 'but that ministers, in the fulness of their malice, may take it into their heads that I have served on Long Island under general Washington? What would it avail me to plead an *alibi*, that I was never in America, or on any sea but that between Dover and Calais? All this may be true, says a minister, or a minister's understrapper; but you are for the present suspected, and that is sufficient: this is not the time for proof; this bill cares not whether you are guilty or innocent: I know you are fond of Scotland, and I will send you under the sign manual to study the Erse language in the isle of Bute; and as soon as the operation of the bill is spent, you will be at liberty to return, or go whither you please: you may then call on your accusers to prove their charges against you of treason in America or on the high seas, or of piracy; but they will laugh in your face, and the act of parliament will serve as complete plea in bar.' Ministers, he went on to observe, were credulous in the extreme, because fearful; and they were fearful from a consciousness of their crimes. Mr. Thurlow ridiculed the absurd and preposterous idea that the bill was intentionally framed to reach disaffected persons within this realm; though, if it did operate to such an extent, he should hardly consider this as a fault.

The commitment of the bill was carried by a ma-

majority of 195 against 43; but, as it was found that some of the clauses were open to serious objections, sir Grey Cooper, secretary to the treasury, moved an amendment, proposing to substitute for the clause 'in any part of his majesty's dominions,' the words 'within the realm:' this however by no means satisfied the opposition; and a petition was presented from the city of London, praying that the bill might not pass, or at least might not extend to persons resident in Great Britain; and this limitation was ultimately carried, principally by the efforts of Mr. Dunning: a clause was also introduced which exempted certain minor acts of piracy from the operation of the bill; opposition members being very anxious to obtain every qualifying explanation, though they strenuously resisted its whole principle. In the house of lords it passed unopposed, but with a protest signed by a single peer, lord Abingdon.

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Some warm debates arose when the accounts of expenses unprovided for the preceding year were laid before the committee of supply: the debts for extraordinary and unprovided services of the war were stated by the minister as more than £2,000,000; a sum which exceeded the demand under the head of extraordinaries in any year of the last war: the rate at which transports had been engaged, and the army in America supplied with rum, were described as instances of a wanton waste of the public money; while deserved and severe strictures were passed, not only on the manner of making contracts, but on the mischief arising from such contracts being made with members of parliament.

In addition to the sum granted to the landgrave of Hesse Cassel for the hire of troops, it appeared that a new demand was made by that potentate of £44,000 for levy money; he having discovered that the treaty of 1755, which was considered as the basis of the present contract, warranted such a claim; and his demand was acknowledged by the minister to be fair, though unexpected. Nor was this the only requisition made by that prince, in consequence of the humiliating

Disputes
on German
troops, and
augmenta-
tion of the
civil list.

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state of dependence into which Great Britain was brought by the necessity of obtaining his assistance; for lord North, some time afterwards, moved for and obtained the payment of above £40,000 to the landgrave, for the expenses of foreign hospitals in the last war;—a claim, which had been rejected as extortionate by commissioners at that time appointed to settle questions of this kind. In the midst of the severe and continued debates to which these subjects gave rise, the minister's task of defence was rendered still more embarrassing by the necessity imposed on him of introducing into the house a message from his majesty, desiring that he might be enabled to discharge a second debt of the civil list, amounting to upwards of £600,000; and expressing his reliance on the loyalty and affection of his faithful commons to make some farther provision for the better support of his household, and the honor and dignity of the crown.

The opposition were divided in opinion on this occasion: some were willing to discharge the present debt, without making any augmentation of the revenue; while others demanded that the whole business should undergo a full investigation before any money was voted: they instanced the preceding reign, in which no such application was made to parliament, and no complaint made of the insufficiency of the sum at which the civil list was fixed: they declared that the revenue of the crown was not only sufficient to support its dignity and magnificence, but that it even exceeded those bounds which were warranted by a limited monarchy and a free constitution. It appeared, by papers laid before the house, that half a million had been expended under the head of the board of works, without any specification of persons or purposes; and that enormous extravagance had taken place under the heads of cofferer's office and foreign ministers; above all, that £285,000 of secret service money had passed through the hands of the two secretaries of the treasury, who, having no intercourse with foreign states, could only be agents for misapplying such large sums to the purposes of bribery and cor-

ruption. Mr. Wilkes took this opportunity, not without a show of reason, for attacking his majesty and ministers:—‘The nation,’ said he, ‘cheerfully gives £800,000 for the trappings of royalty; but the proposed augmentation is a violation of public faith; and it is cruel to fleece the people, involved as they are in an expensive, unnatural war, and burdened with an enormous debt:’ he then reviewed the expenses of all our monarchs since the revolution, extolling their magnificence, to the disparagement of the court of George III. Alluding to his own sufferings, he mentioned an article in the account of secret services for money paid to Samuel Martin, esq., in 1763, and said that he himself had been plundered in one year of £1000 in two fines: he attacked with great asperity the literary pensions bestowed on two Jacobite doctors, Shebbeare and Johnson; on Hume for impugning christianity, and Beattie for defending it: he also spoke with much acrimony of the disagreements in the royal family; contrasting the kindness of Louis XVI. to Monsieur and the comte d’Artois, with the harshness of the king towards the dukes of Gloucester and Cumberland.

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— 1777. —

Lord North having rested the propriety of the proposed augmentation on a plea that the revenue allotted to the civil list had exceeded the yearly sum of £800,000, with which it was charged, by upwards of £100,000 each year,—which was the additional sum required,—some members in both houses maintained, that if the revenues proceeding from Wales, Cornwall, the duchy of Lancaster, Ireland, the West Indies, American quit-rents, &c. were taken into consideration, the crown would be found to have possessed for several years a revenue of more than a million sterling; and though the proceeds from Hanover and Osna-burg did not come within the cognisance of parliament, yet they were to be considered as objects of attention in all questions relative to the increasing power and dangerous influence of the crown.

Mr. Burke asserted that nothing but a confidence in the servility of the house, and a knowlege of its carelessness, could have rendered ministers desperate

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enough to assert that sufficient provision was not made for the splendor of the crown. He objected, and with great justice, to the futile argument drawn by lord North from the experience of the whole reign, that £800,000 was not sufficient for the civil list expenses; because, if admitted, the propriety of every person's practice would be judged of by the practice itself; a man's extravagance would become the measure of his supply; and, because he had actually dissipated a large revenue, he ought to be furnished with another still larger, to dissipate that also. This would establish a principle of public profusion; would make it the interest of ministers to be prodigal; since their extravagance, instead of lessening, would be the certain means of increasing their estate.

The minister however lost none of his usual friends on this trying occasion: sir Robert Walpole himself was not more industrious than lord North in procuring adherents in the lower house by all those arts which work on the principle of self interest; and before the close of the last session ten new peers had been called to the upper house, three barons advanced to earldoms, and one to the dignity of viscount.¹ Such therefore were the prevailing sentiments of loyalty, that not only was the deficient sum voted out of the sinking fund, but an addition made to the civil list of £100,000 per annum.

These grants however did not pass without warm debates in the house of lords, nor lessen that desire for a reform in that of the commons, which was making sensible progress in many unbiassed and disinterested minds: the marquis of Rockingham moved an amendment to the address; which, being rejected, was entered as a protest on the journals, signed by fourteen peers: in this document they recorded their opposition to the measure, not solely from motives of economy, but from a dread of the effect which such an augmentation might have on the honor and integrity of parliament; vesting, as it did, such large sums of money, without responsibility, in the hands of mi-

¹ Lord North's Administration, p. 257.

nisters. Assertions were also made, that there was a prevalent opinion regarding the civil list revenues, that they were employed in creating an undue parliamentary interest; and therefore the proposed increase of the overgrown influence of the crown would be a treacherous gift even to the crown itself; since it would enable ministers to carry on what the protesters considered delusive schemes, infallibly tending to the destruction of our empire.

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The most remarkable and honorable circumstance attending this extraordinary grant, was the speech of sir Fletcher Norton, when he presented it for the royal assent:—‘In a time, sire,’ said he, ‘of public distress, full of difficulty and danger, their constituents laboring under difficulties almost too heavy to be borne, your faithful commons, postponing all other business, have not only granted to your majesty a large present supply, but also a very great additional revenue, great beyond example, great beyond your majesty’s highest expense: but all this, sire, they have done in a well-grounded confidence that you will apply wisely what they have granted liberally; and feeling that, under the direction of your majesty’s wisdom, the affluence and grandeur of the sovereign will reflect dignity and honor on his people.’ The countenance of the king is said to have indicated how little acceptable to royal ears was such an unusual freedom of speech:² on the return of the deputation, the thanks of the house were voted to the speaker; yet not without exciting secret and acrimonious resentment among the king’s *friends*; one of whom, Mr. Rigby, took occasion, in a subsequent debate, to arraign sir Fletcher’s honest conduct as insulting to his majesty, and misrepresenting the sentiments both of parliament and of the nation. The speaker appealed to the vote of thanks which he had received, as a proof that he had not been guilty of the misrepresentation now ascribed to him; and the minister, uneasy at the altercation, intimated his wish that the discussion might be dropped: but Mr. Fox, immediately

Spirited
address of
the speaker
to the king.

² Other authorities, however, declare the contrary.

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rising, declared that, a serious and direct charge having been made, the question was now at issue: either the speaker had misrepresented the sense of the house, or he had not; he should therefore move, that the speaker, in his address to his majesty at the bar of the house of peers, did express, with just and proper energy, the sentiments of the house. The speaker himself declared, 'that he would sit no longer in that chair than while he was supported in the free exercise of his duty: he had discharged what he conceived that duty required of him, intending only to express the sense of the house; and from the vote of approbation with which he had been honored, he had reason to believe that he was not chargeable with any misrepresentation.' Ministers now found themselves in so unpleasant a dilemma, that they earnestly pressed the withdrawing of the motion; and this being refused, Mr. Rigby moved an adjournment: but the house appearing on this occasion alive to its own dignity, he at length thought fit to make some concession; declaring 'that he meant no reflection on the character of the speaker; that he merely expressed his own private opinion, according to the privilege possessed by every member of that house; and if what he had advanced was not agreeable to its members, he would readily withdraw his motion of adjournment;' which being done, Fox's motion was carried unanimously.

Lord Chatham's motions for concessions to America.

Toward the close of the session, lord Chatham, returning after a long absence to the house of lords, moved for an address, advising his majesty to take speedy measures for terminating the war with America by a removal of accumulated grievances; and the house, at lord Camden's request, was summoned for the express purpose of deliberating on this motion.

Lord Chatham began by declaring the country unequal to support the contest. Alluding to the taking of Louisburg in the former war by the Americans, who were now turned rebels, he excused their excesses on account of the injustice which they had long suffered: he also decried the efforts made to conquer

them; declaring that none would avail against the spirit of British freemen. 'We have tried,' said he, 'for unconditional submission: let us now try what can be gained by unconditional redress. The door of mercy has hitherto been shut against them: every corner of Germany has been ransacked for boors and ruffians to invade and ravage their country; since to conquer it, my lords, is impossible: you cannot do it; I may as well pretend to drive them before me with this crutch. Our armies, if dispersed, will be cut off; if collected together, will be starved: we have obtained nothing, during three years, but stations; and have, in fact, been teaching our opponents the military art, with forces too numerous for peace, and too limited for war.' He continued to urge strongly a redress of all grievances and an acknowledgement of the right possessed by the Americans to dispose of their own money: this, he said, would be the herald of peace, and would open the way for treaty: if we conquered now, it would be under the cannon of France; under a masked battery ready to open and sweep us off: less dignity would be lost in repeal and redress, than in submission to the demands of petty German princes; especially as we had been the aggressors. The present moment, he declared, was the crisis; for whenever France and Spain should enter into a treaty with America, Great Britain must declare war against them: he would be among the first to advise it, if we had only five ships of the line in our ports: besides, if it were even practicable, after a long course of success, to conquer America, no advantages could be obtained but from the good will of its inhabitants, which depended intirely on measures of conciliation and justice.

In a subsequent part of the debate, his lordship more fully explained his views, by urging the repeal of every oppressive act passed since 1763:—'I would put our American brethren,' he said, 'in the very situation in which they were at that period; leaving them to tax themselves, and expecting that they would in return contribute to common burdens, according to

their abilities. Concession ought to come from us, who have been the aggressors by burning their towns, plundering their country, confiscating their property, and imprisoning their persons: the affections of the people have been estranged from their sovereign, who would be again enthroned in their hearts by this concession; and your lordships, by contributing to so great a work, would merit and receive the prayers and benedictions of the people in every part of the British empire.'

The peers who supported administration declared that the original aim of America was independence, which the partisans of lord Chatham strongly denied; and the assertion, that Great Britain was the aggressor, met with a decided contradiction: several collateral topics of discussion protracted the debate; but it appeared that, unless the house had changed its opinions, the present motion must be rejected, since it held out nothing new: lord Chatham's ideas respecting France were considered as very extravagant, and his picture of our national imbecility as inviting other nations to take advantage of our distress: besides, strong representations were made of the anarchy prevailing in America, and of many unjust and cruel acts committed against their loyal brethren by rebels, who to the horrors of war added the brutality of savages and the treachery of cowards. An abandonment of our rights, lest France should attack us when our strength and resources became weakened or exhausted, was represented as pusillanimous advice, not worthy of attention; and the motion was negatived by ninety-nine against twenty-eight. Among other transactions of the session, was a grant of £3000 to the British Museum: an act was also brought in by the solicitor-general, for restraining, and subjecting to several judicious regulations, certain grants of annuities. The supplies for the service of the year 1777 amounted to £12,895,543;⁸ for the

⁸ Navy £4,210,305, army £4,366,383, miscellaneous service £141,602, exchequer bills discharged £1,500,000, last year's vote of credit discharged £1,000,000, arrears and debts on the civil list on January 5, 1777, £618,340, to pay off prizes

raising of which the land tax was continued at four shillings in the pound; the usual duties were continued on malt, &c.: the sinking fund to January 5th, 1777, after the appropriation of the last year, yielded a surplus of £295,832, and the next quarter ending the fifth of April produced £760,363: the growing produce of that fund was charged with £1,939,636: £1,500,000 in exchequer bills was continued: £5,000,000 were raised by annuities, and £500,000 by a lottery: £200,000, which had been brought into the exchequer by the executors of the late lord Holland, formerly paymaster of the forces, was applied to the current service; and some savings in the exchequer, which amounted to £7701, completed the ways and means.⁴

In presenting bills at the close of the session, the speaker again stated to his majesty that the house hoped speedy means would be discovered to stop the ravages of war, which otherwise might be attended with consequences ruinous to the prosperity, and perhaps dangerous to the safety, of this country.

The king expressed his approbation of the conduct of parliament, thanking them for their attachment to his person and government, as well as for their steady perseverance in maintaining the true interests of the country and the rights of its legislature: he trusted in Divine Providence, and a vigorous exertion of the great force in his hands, to suppress rebellion, and re-establish that constitutional obedience to the laws, which is due from all the subjects of a free state. Parliament rose on the sixth of June.

In the debates of this session considerable jealousy of the increasing power of the crown appears to have existed: nor was this wholly without reason; for in addition to the vast accession of influence resulting from the augmented revenue of the civil list, the minister had shown himself determined to make a desperate use of the prerogative in creating peers, ten

in the lottery of the year 1776, £500,000, deficiencies on land £250,000, on malt £200,000, on the fund in 1758, £44,600, and on grants for 1776, £61,288.

⁴ Lord North's Administration, p. 273.

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of whom had already been called up to the English house: this however was only a prelude to future operations. It was in Ireland, a country at this time famed for the conversion of high-flown patriotism into official zeal—a country where a deficiency of revenue was compensated by a superabundant supply of orators, ready to rally round government at any salary, and at all hazards,—that lord North determined to dazzle the eyes of opposition at home by a display of ministerial munificence. On the second of July this year, the Irish peerage found itself reinforced in numbers by eighteen new barons, and augmented in splendor by the elevation of seven barons to the dignity of viscount, and five viscounts to that of an earldom. Who could retain fidelity to a party against a ministry so gifted and so prodigal of favors? He now acquired as strong an influence in the upper house as he had long held among his faithful commons: in this latter assembly his success in making converts, by the talismanic influence of official emolument, was equal to that of sir R. Walpole himself: his address was superior; for he acted with such decent secresy, that, although the public continually beheld him making proselytes, it was generally supposed that he had convinced, not corrupted, them. His detection, when it arrived, materially aided the cause of parliamentary reform.

Disputes
with Hol-
land.

During these deliberations, the conduct of the Dutch, especially in the West-Indies, induced sir Joseph Yorke, our minister at the Hague, to present a memorial to the States General: in this he particularly complained of M. Van Graaf, governor of St. Eustace, who had permitted an American privateer to capture a British vessel within cannon-shot of that island; had returned the salute of a rebel frigate; and, whilst he promoted an illicit commerce, had connived at the hostile equipments of Americans: attestations of these charges were added, and the recall of the governor demanded.

The States, offended at this imperious language, but acting with their usual caution, ordered their envoy in

London to deliver a counter-memorial to the king, complaining of the menacing tone adopted by his ambassador towards an independent power, so long united by the ties of harmony and friendship with Great Britain: at the same time they disavowed the acts attributed to their governor, and acquainted his majesty that they had ordered him home to give an account of his conduct: it does not however appear that he was suspended from his authority: the English ministry pretended to be satisfied, though they secretly meditated retaliation whenever a favorable opportunity should arise. Previously to the interchange of these memorials, offence had been taken by the British court at the refusal of the States to part with a Scotch brigade in their service, though the king had signified his wishes on the subject to their high mightinesses, in a letter written with his own hand.

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The views of the house of Bourbon at this period have been already detailed: its acts, like those of all double-dealers, were full of inconsistencies, subject to perpetual remonstrance, and consequently requiring perpetual explanation; but its answers were always conciliatory, sometimes humble; so that even the most sagacious observers were deceived by its manifestation of frankness and sincerity: a profound politician, who was at Paris, in the very centre of information, even declared, that, 'far from taking any step to put a speedy end to this astonishing dispute, he should not be surprised if the French, next summer, were to lend their cordial assistance to England as the weaker party.'⁵

During this summer, the trial and execution of the celebrated Dr. Dodd took place; a melancholy instance of a man possessing high attainments, and many estimable qualities, brought to a disgraceful end by a system of extravagance, to which pride and a fatal love of pleasure led him. Having committed a forgery to a large amount on the earl of Chesterfield, who had been his pupil, he was tried for this offence, found guilty, and executed at Tyburn, on the twenty-seventh

Trial and
execution
of Dr.
Dodd.

⁵ Gibbon, Posthumous Works, vol. i. p. 526.

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of June. In his dying apology for his past errors he declared, that he was led from religious strictness by the delusions of show, and the delights of voluptuousness; never attending to the calls of frugality, or the needful minuteness of painful economy. 'Vanity and pleasure (he says,) into which I plunged, required expense disproportionate to my income; expense brought on me distress; and importunate distress urged me to temporary fraud.' Greater influence was scarcely ever exerted to save the life of a criminal than that which was now made for Dr. Dodd;⁶ and as some obloquy has been cast on George III. for turning a deaf ear to every petition for mercy, in this case the historian is bound to vindicate the character of a monarch, whose heart was not dead to that quality, though he had the good sense to perceive that it is a very pernicious one, if suffered to interfere with higher duties. The conduct of the sovereign might be left safely to rest on the plain circumstances of the case; that of a man, who with greater inducements to keep the path of virtue than the generality of men possessed, in the advantages of education and the nature of his profession, had committed a crime for which his life was forfeited to the laws of his country. Was aggravation of guilt then to be made a plea for the remission of punishment? But, in fact, a case had occurred in the preceding year, which rendered it imperative on the king to let the law take its course in the present instance. Similar applications for mercy had been made for the two brothers Perreau, the first persons convicted under the new forgery act; more especially for the younger, who was considered as a dupe rather than a criminal. His majesty was inclined to pardon him; but the privy council thought that one brother could not justly be reprieved if the other suffered; and both were left to their fate: hence therefore the king was impelled to withhold his privilege of mercy from Dr. Dodd; and it is well known that lord Mansfield

⁶ Besides a petition from the city of London to his majesty, there was another from the Magdalene charity to the queen, and a third from upwards of 20,000 inhabitants of Westminster, as well as letters from Dr. Johnson and other eminent individuals to influential persons at court, &c.

observed, when the case came under the consideration of the council, that 'if Dodd should be pardoned, the Perreaus were murdered.'

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As the affairs of India now began to divide parliamentary attention with those of America, it will be proper to revert to the transactions of that important part of our empire.

Affairs of
India.

In the spring of 1772, the presidency of Bengal was committed to Mr. Hastings, whose administration was marked by decisive counsels and great events; giving rise to discussions which had the effect of diffusing throughout the community a general knowledge of Indian affairs, and of those important interests which they involved. The state of the company's government about this period is forcibly delineated in a document addressed by their own board to the president, in the beginning of the year 1773. It begins with expressing a wish, 'that they could refute the observation—that almost every attempt made by them and their administrations for the reformation of abuses, had rather increased them, and added to the miseries of the country which they were anxious to protect and cherish.'⁷ It then goes on to speak of destructive monopolies, of anarchy among their servants, and oppressive jurisdictions; of youths suffered to exercise sovereign authority over the natives, and a variety of evils lying too deep for any partial plans to reach or correct; and it concludes with expressing a hope of assistance from their new governor, on whose temperance, economy, and application they place firm reliance; promising him, in return, their steady favor and support in the measures he may adopt.

Mr. Has-
tings's ad-
ministra-
tion.

It would have been difficult for the company to find a person more capable of recovering their affairs from a state of unexampled embarrassment than Warren Hastings. 'Though,' says Mr. Mill, 'he had no genius for schemes of policy including large views of the past and large anticipations of the future, he was hardly ever excelled in the skill of applying temporary expedients to temporary difficulties;' but that eminent

⁷ Mill's British India, vol. iii. p. 458.

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commander, sir John Malcolm, a man equally to be admired in the cabinet and in the field, goes farther, and declares, 'that Mr. Hastings showed all the active energy of a great statesman, who by his spirited exertions saved the interests of his country from the ruin in which they would have been involved, had a man of less resolution, fortitude, and genius held the reins of government.' This is great praise: nevertheless, without being influenced by the heart-rending scenes of horror delineated in the splendid orations of Burke, every unprejudiced reader, who peruses the records of Warren Hastings's administration in the candid pages of Mr. Mill, corroborated, as it there is, by authentic documents, must confess that in numerous acts and measures he preferred the interests of the company, and sometimes his own, to the clear dictates of probity and justice. The only excuse that can be offered for him, if it be an excuse at all, is, that he found the system, over which he was sent to preside, full of abuses, and its finances utterly deranged; so that he was in some degree obliged to follow the steps of his predecessors, in order to repair the dilapidated revenues of the company, and to fix its tottering power. Mr. Hastings was directed to make the safety and prosperity of Bengal the first object of his attention; and on this order, the late lord Erskine, while pleading the cause of another client,⁸ grounded a collateral defence of the Indian governor. 'If,' said he, 'our dependencies have been secured and their interests promoted, it is preposterous to bring to the standard of justice and humanity the exercise of a dominion founded on violence and terror. It may be, and must be true, that Mr. Hastings had repeatedly offended against the rights and privileges of Asiatic government, if he was the faithful deputy of a power, which could not maintain itself an hour without trampling on both; he may, and must have offended against the laws of God and nature, if he was the faithful viceroy of an empire wrested in blood from the people to whom God and nature had given it; he may, and must have pre-

⁸ John Stockdale, the bookseller.

served that unjust dominion over timorous and abject nations, by a terrifying, overbearing, insulting superiority, if he was the faithful administrator of a government, which having no root in consent or affection, no foundation in similarity of interests, no support from any one principle which cements men together in society, could only be upheld by alternate stratagem and force.'

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It must also be recollected that the delinquencies of Warren Hastings stand out prominently as detached parts of his administration: they are not found blended with the general system which he pursued; for he was popular on the whole both with the natives and with his countrymen in India; and he effected much, against many local and practical difficulties, in the improvement of its internal government. Even Mr. Mill himself, attempting to soften down the unfavorable picture of tyranny and injustice, which historic truth compelled him to draw, declares, 'that he was placed in difficulties, and acted on by temptations, such as few public men have been called on to overcome.' Still it must be confessed that the statesman, if not the man, had an iron heart.

The first important change made in the government of Bengal by its new president, was connected with the dewanee or collection of revenue. With a view to remedy some of its abuses, the directors had determined to alter the double or *ambiguous* administration established by lord Clive, 'by which,' says Mr. Mill, 'all the vices of our ancient polity were saved from reform, and all the evils of a divided authority were superinduced.' Grievously disappointed in their expectations, they now resolved to take into their own hands the collection as well as the disbursement of the revenue: the company's lands were let on long leases, and several oppressive exactions abolished: when the zemindars, and other middle-men of ancient standing, offered for the territories which they had been accustomed to govern, terms that were deemed reasonable, they were preferred: when their offers were thought

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inadequate, they were allowed a pension for their subsistence, and the lands were put up to sale.⁹ But this change in the administration of property rendered a change also in the administration of justice indispensable; and thus a revolution was brought about, more deeply affecting the condition of the natives than was ever contemplated, or than had ever been effected by the most extensive conqueror: the office of naib duan,¹⁰ held by Mahomet Rhiza Khan at Moorshedabad, and by rajah Shitabroy at Patna, was abolished; a board of revenue being established in its stead at Calcutta. Both those officers were arrested on a groundless suspicion of abuses in their trust, and sent prisoners to the seat of government; but after two years it was judicially declared that no guilt was proved against them; and the latter, a man of high spirit, died of a broken heart, in consequence of this ignominious arrest, soon after his return to Patna: the guardianship of the young nabob was also taken from Mahomet Rhiza Khan, and confided to a female, the second wife of Mir Jaffier, called Munny Begum: at the same time, the revenue set apart for the expenses of the prince¹¹ was reduced to one-half, agreeably to the orders of the directors.

While this revolution was proceeding in the government, the neighboring powers were preparing another scene of action for the enterprise and ambition of the company's servants. On the twenty-fifth of December, 1771, the emperor Shah Allum, having yielded to the extravagant demands of the Mahratta chiefs, entered his ancient capital of Delhi with all the pomp which his impoverished circumstances would permit: but from those scenes of repose and pleasure he was soon hurried into the field by his imperious allies. The Rohilla country, which, under the administration of Nujeeb u Dowla, had been rendered one of the most flourishing districts in India, held forth a rich prospect

⁹ Mill's *British India*, vol. iii. p. 466.

¹⁰ He also held the office of naib subah, comprehending the superintendence of the nabob's education, management of his household, representation of his person, and administration of justice, &c.

¹¹ Thirty-two lacs of rupees.

for spoliation. Saharunpore, the jaghire of that minister, now under the government of his son Zabita Khan, was the first object of attack; to which the emperor yielded through motives of policy, fearing the resentment of Zabita Khan, who, by the invasion of Delhi, had been dispossessed of that government. Although Zabita Khan made a spirited resistance, he was unable to withstand the united forces of the mogul and his savage allies; and after a severe defeat, he made his escape to the camp of Sujah Dowla, vizir of Oude, leaving his fine territories a prey to the Mahrattas, who instantly seized on them in spite of the emperor's remonstrances.

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The situation of the Rohillas now became very alarming: they had every reason to regard with suspicion and dread the rapacity of the vizir, who had long cast an eye of desire on their country; but pressed by the superior force of the Mahrattas, they were induced to propose an alliance with him, as the lesser evil of the two: little exertion however was made to expel these formidable enemies; who, after having ravaged the country, recrossed the Ganges as soon as the rains commenced. Having extorted from Shah Allum a grant of the provinces of Corah and Allahabad, at the proper season they resumed offensive operations; and being anxious to penetrate into the vizir's dominions, offered very advantageous terms of alliance to the Rohillas: these latter, however, unfortunately for themselves, thought it less dangerous to rely on the faith of the vizir than on the promises of the Mahrattas; while the nabob himself, being seriously alarmed, invoked earnestly the aid of the Bengal government. But though his forces, in conjunction with the English, passed into Rohilcund, and encamped near the Ganges; a large body of the Mahrattas crossed the river; overran a great part of the Rohilla territory; and having destroyed the cities of Moradabad and Sumbul, continued their ravages till the end of March. The British general was restrained by peremptory orders from passing the river; and in May the Mah-

rattas were drawn off by domestic affairs into their own country.

The departure of these marauders opened at once a field to the ambition of the vizir, and to the cupidity of the Bengal government: a treaty was formed for the purpose of subjecting Rohilcund to a deceitful and cruel tyrant, in order that he, when gorged with plunder, might be squeezed for the benefit of the company's finances. 'I found the vizir,' says Mr. Hastings, in his report to the directors, 'still bent on the design of reducing the Rohillas; which I encouraged, as I had done before, by dwelling on the advantages he would derive from its success: the situation of the company urged it on the board as a measure necessary to its interest and safety.' 'All our advices,' he continues, 'both public and private, represented the distresses of the company at home as extreme, calling for ample remittances and a reduction of our military expenses: at the same time, such was the state of affairs in this government, that for many years past the income of the year was found inadequate to its expense; and to defray it a heavy bond debt had accumulated.'¹² Accordingly, Warren Hastings, by his own confession, sold the Rohillas to their atrocious¹³ enemy bargaining to receive forty lacs of rupees on the accomplishment of the enterprise, as well as a monthly allowance for the British troops engaged in this odious service.

As the Bengal council sanctioned this measure, colonel Champion with his brigade was ordered to put it into execution; and on the seventeenth of April, 1774, the united forces of the company and the vizir entered the devoted territories of the Rohillas; and that gallant people, under their leader Hafiz, offered, according to the British commander's own report, a noble resistance. 'They made repeated attempts to charge; but our guns, being much better served than theirs, kept up so constant and galling a fire, that they could

¹² See Mill's *British India*, vol. iii. p. 499.

¹³ The epithet is too mild for one of the most cowardly, cruel, and lustful wretches that ever disgraced sovereign authority.

not advance ; and where they were closest was the greatest slaughter : numerous were the brave men who rushed forward and pitched their colors between both armies to encourage their troops ; and it was not till they saw the whole British line moving to charge them, after a cannonade of two hours and twenty minutes, that they turned their backs and fled : the gallant Hafiz Rhamet fell as he was bravely rallying his people to battle.' 'I wish,' says colonel Champion, 'I could pay the vizir any compliment on this occasion, or that I was not obliged to express my indignation at his shameful pusillanimity :' the fact is, that cowardly tyrant surrounded himself with his cavalry and artillery in the rear of the army during the fight, having relays of swift horses to favor his escape, if necessary ; but when he heard of the enemy's defeat, he rushed on with his troops, and plundered the camp with a cruel avidity ; 'so that we have the honor of the day,' says the colonel, 'but these banditti the profit.' Moreover, the whole ferocity of Indian depredation was let loose on the wretched inhabitants ; and as the tyrant's intention, repeatedly declared to Warren Hastings, was to exterminate the nation, all that bore the name of Rohilla were either butchered, or found safety in exile.¹⁴ The provinces of Corah and Allahabad, which the naib subah, or superintendent of the emperor, had nominally placed under English protection at the time when they were claimed by the Mahrattas, were now delivered up to the infamous Sujah Dowla for the sum of fifty lacs of rupees : nor was this the whole measure of injustice dealt out to the unfortunate mogul ; for his error in flinging himself into the hands of the Mahrattas was seized on as a pretext for retracting the grant, or pension, allotted to him out of the revenues of Bengal : this spoliation however was suggested by the directors ; and though these gentlemen condemned the use made of their troops in subduing the Rohillas, yet they gave un-

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¹⁴ For some account of the atrocities in this dreadful scene, the worst of which, colonel Champion says, cannot be described, though the whole army were witnesses of them.—See Mill's British India, vol. iii. p. 509.

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qualified approbation to the treaty of Benares, in which the shameful bargain was adjusted and concluded. Our pity indeed for Shah Allum is much diminished by the fact, that he also had given his sanction to the reduction of Rohilcund, in a treaty with Sujah Dowla, on condition of sharing in the plunder: the struggle however had been decided by the activity of the British troops before his forces could come up; and the vizir made no scruple of breaking his engagements with this impoverished descendant of the mogul emperors.

The above mentioned transactions occurred previously to the establishment of the new council,¹⁵ which did not assemble at Calcutta before the nineteenth of October, 1774, when the existing government was immediately dissolved by proclamation. The party which arrived from England, and their colleagues whom they found in India, did not meet with minds under the happiest frame for unanimity and co-operation: the behavior of Mr. Hastings was considered by the new comers as cold and supercilious; and his representation of the Rohilla war presented too doubtful a complexion not to excite some desire of elucidation in the breasts of liberal men: an obvious objection lay in its direct opposition to the frequent and earnest orders of the directors, discouraging all offensive wars, and confining the line of defensive operations to the territorial limits of the company and their allies. When the new government assumed the exercise of its authority, intelligence had not arrived of an accommodation which had taken place between the vizir and Fyzoolla Khan, one of the Rohilla chieftains, who still held out with a considerable body of troops in a strong position; so that a continuation of the existing war seemed to require its earliest deliberations. In order to gain some knowledge of preceding transactions, the council requested a copy of the governor's correspondence with Mr. Middleton,

¹⁵ It was composed of the governor, and Mr. Barwell, general Clavering, Mr. Monson, and Mr. Francis. The three latter were sent on this occasion from England.

his confidential agent at the court of Oude: this, however, was refused; and the refusal, added to the known facts of the Rohilla warfare, gave to his rivals that advantage in their opposition which long rendered his administration a proper punishment for his many cruel and unprincipled aggressions. It was not till the death of colonel Monson in 1776, that Mr. Hastings obtained an ascendancy in the council;¹⁶ and this event induced him to retract his resignation, which he had transmitted to England; and to remain at the seat of government. In the beginning of the year 1775, the infamous Sujah Dowla expired, and was succeeded as subahdar of Oude by his only legitimate son, Asoff u Dowla: the council of Bengal instantly took measures to render this change as profitable as possible to the company; and on the twenty-first of May a treaty was arranged, by which they guaranteed to the young prince the provinces of Corah and Allahabad, which had been sold to his father; in return for which they exacted from him the territory of the rajah Cheyte Sing, zemindar of Benares, yielding an annual income of 2,210,000 rupees; also an increased allowance for the service of the company's brigade, so as to make it 260,000 rupees per month; while they demanded payment of all pecuniary balances due by the engagements of his predecessor.¹⁷ The charge of speculation made against the governor himself, and the judicial murder of Nuncomar, his chief accuser, may be passed over as not necessary for the connexion of our history: it will be convenient, however, still farther to anticipate events in the presidency of Bengal, in order that they may not interfere with the detail of important affairs in southern India, which soon became the theatre of a most destructive and extensive war.

In 1780, the disputes between Mr. Hastings and Mr. Francis terminated in a duel, when the latter gentleman was wounded, and soon afterwards returned to

¹⁶ Mr. Barwell always acted with the governor, who had a casting vote.

¹⁷ It is due to Mr. Hastings to observe that he refused his sanction to these terms, extorted from the mere necessities of the young nabob.—See Mill, vol. iii. p. 524.

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England: the governor-general was then left to prosecute his designs without control against rajahs or nabobs, and to levy contributions at his own will and pleasure: his government was arbitrary; but as it was far less violent, unjust and oppressive than that of the native princes, it appeared softened by the contrast; and, while he pleased all orders by condescending to their customs and their prejudices, he threw a lustre over his sway by acts of private liberality and patronage of the arts. Such was the man, who, by his bold exercise of power, gave occasion to the most splendid effusions of eloquence that ever distinguished the British senate.

Having effected great changes in the financial and judicial departments, Mr. Hastings took the extraordinary resolution of visiting the upper provinces in the year 1781: though a most important contest was raging in the Carnatic, and the supreme council was so reduced in numbers, that his absence left a single member¹⁸ to conduct the affairs of state; yet, as the government was distressed for want of money, he saw no better way of replenishing its coffers, than that of personally enforcing fresh exactions on the rajah of Benares and the nabob of Oude. It has been already observed, that the sovereignty of Benares, that ancient seat of brahminical superstition, had been transferred from the latter potentate to the company: the present rajah had faithfully kept his engagements to his new masters, and continued to pay his tribute with an exactness rarely known among tributary princes of Hindostan; but unfortunately he was supposed to have accumulated treasures, which the governor, pressed by financial difficulties, had marked for appropriation;¹⁹ some slight, but unguarded motions of the rajah towards a communion with Mr. Hastings's opponents in 1777 were recollected, and served to mix up private feelings of resentment with the prudential motives by which he was actuated. 'He knew,' says

¹⁸ Mr. Wheler.

¹⁹ 'Of the riches of the rajah, however,' says Mr. Mill, 'we look in vain for the proof.'

Mr. Mill, 'under the sentiments which prevailed at home, by what a slender and precarious tenure he enjoyed his place: he knew well that success or adversity would determine the question: he knew that with those whom he served, plenty of money was success; want of that useful article adversity: he found himself in extreme want of it: the treasure to which he looked was the fancied treasure of the rajah; and he was determined to make it his own. If, under such circumstances as these, a zeal for the government which he served could justify his actions, then may Jefferies be regarded as a virtuous judge.'²⁰

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Having harassed Cheyte Sing with the most vexatious inquisitions, answered his expostulations with menaces, and treated all his remonstrances as proofs of guilt, he proceeded to remove the British resident from his court, and finally to put the rajah himself under arrest. The confinement of their prince was regarded by the Indians as an outrage of the most atrocious description, and provoked even persons of their timid nature to rise against the troops: during the confusion proceeding from this tumult, the rajah escaped through a wicket to the river; and, letting himself down its steep bank by turbans tied together, made his way to the other side; while the palace was occupied by the English forces: the governor, not foreseeing the opposition made to his proceedings, had neglected to provide himself with sufficient means of defence; and if the rajah had not been a man of peaceable inclinations and timid conduct, he might at this time have crushed his foe. Hastings took refuge in the strong fortress of Chunar; and Cheyte Sing made repeated overtures for amicable negotiation, declaring his sorrow for the attack on the troops, and for the blood that had been spilt; protesting, also, his own innocence regarding the effects which had taken place, and professing a readiness to submit with implicit obedience to whatever conditions the governor-general might think fit to impose: all his applications, however, being treated as unsatisfactory and insincere, no

²⁰ British India, vol. iv. p. 339.

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reply was made to them; and the rajah, collecting his forces, appealed by a manifesto to the princes of Hindostan. The very object of Hastings was to push him to actual hostilities; and, though he long abstained from all except defensive operations, yet he was attacked, forced into action, defeated, and finally stripped of his dominions: his wife, mother, and other members of his family had retired with their private treasures and effects to the strong fortress of Bidgegur, which yielded by capitulation; and, though it was finally arranged that the females should be safe from the dishonor of search, yet, as Mr. Hastings had expressed by letter a desire that they should be despoiled, inasmuch as the plunder was due to the troops, the capitulation was violated, and the unfortunate women were subjected to the most rude and ignominious treatment. This spoil Mr. Hastings endeavored to recover from the army by retracting his expressions; but in vain: both officers and men refused to surrender what they had, in faith on the governor, appropriated to themselves; while the amount of the rajah's accumulation deceived expectation, and was found to be no more than what any prudent prince would endeavor to provide for the exigences of his government. A youth of nineteen, a grandson of Bulwart Sing by the female line, was made rajah of Benares, but with scarcely any functions of royalty; and his annual tribute was raised to forty lacs of rupees.¹

Disappointed in this quarter, and still harassed by pecuniary difficulties, the fertile genius of Hastings soon directed him to other resources. Though the treasury of Oude had been drained by repeated exactions, and expenses for the maintenance of troops, until the miserable nabob declared that the pressure was more than he could bear, all his expostulations and petitions for relief were turned against him into so many arguments for additional severity: the governor chose to consider that an idea which the rajah enter-

¹ The defence set up by Mr. Hastings for this spoliation was, that Cheyete Sing, encouraged by the opposition of Mr. Francis in council, had refused a requisition made by the governor for two regiments, when he was sending succors to the British army of the Carnatic in a time of great distress.

tained of the instability of the company's government had emboldened him to complain: in consequence, it was determined to dissolve all previous treaties, and to form a new bond of agreement, in which permission was given him to resume such jaghires within his dominions as he might choose, under certain conditions. On the face of this article nothing wrong appeared; but it was soon seen to point at the possessions of the mother and widow of the late vizir: these princesses, called the begums of Oude, were reputed to be very wealthy: considerable jaghires had been held by them, since the death of Sujah Dowla, to provide for the state and subsistence of themselves, and the numerous families of preceding nabobs placed under their superintendence: it was secretly agreed therefore between Mr. Hastings and the nabob, that his highness should be relieved from the burdensome expense of supporting English troops and civil officers, on condition, not only of stripping the begums of their treasures, but of transferring the proceeds of their jaghires to the governor. The nabob had before contrived to plunder his aged relatives on his own account; though he now discovered, or feigned, a reluctance to execute his agreement with Mr. Hastings: the rumor of seditious movements, on the part of these secluded females, was made a pretext for the robbery; and the prince at length proceeded with Mr. Middleton, the governor's agent, Fyzabad, where the begums resided, and took possession of the palace. The jaghires were soon transferred; but in order to obtain the treasure without violating the sanctity of female apartments, two aged eunuchs, confidential servants and ministers of the princesses, were imprisoned and cruelly tortured; nay, even the household of the zenana were subjected to the horrors of famine, until their mistresses consented to surrender their last rupee. This shameful transaction produced upwards of £500,000 for the government; while Mr. Hastings extorted a present of ten lacs of rupees, or £100,000 sterling from the nabob; which, with the company's permission, he converted to his own use.

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His next object of plunder was Fyzoolla Khan, the chief who had survived the ruin of the Rohillas in 1774; and who, having occupied a strong post on the hills, concluded a treaty guaranteed by the English government, by which he was invested with the jaghire of Rampore and some other districts in Rohilcund: in return, he was bound to keep up a certain military force, tributary to his British allies, and heretofore made the means of extorting supplies from his fears. At the present time, near the end of 1782, fifteen lacs of rupees were paid by him on condition of being exempted from all future claims of military service: an attempt was made to procure fifteen more, for which his jaghire was to be turned into an hereditary possession; but he was utterly unable to raise the sum, though the improved cultivation of his country and the apparent prosperity of the people, owing to his good government, led the English to believe that his riches were immense.

By letters from the directors, dated February 14th, 1785, the governor's conduct with regard to the begums was indirectly censured: an inquiry was also ordered into the conduct of those princesses, with a view of restoring to them their estates, if they should appear innocent of the accusations which had been brought against them by Mr. Hastings: the governor however opposed himself to this measure; and having a majority of the council on his side, was able to prevent it: his pretext was, that whenever, in India, the views of government are known, all evidence tendered will be sure to coincide with those views; not reflecting, that if this were true, all the evidence which he himself produced against the begums, Cheyte Sing, and others, whom he pretended to punish under the color of guilt, ought to have counted for nothing. Notwithstanding the severities practised against the family of the nabob of Oude, and the usurpation of his authority by Mr. Middleton, who even issued warrants for the resumption of the jaghires on his own responsibility, this agent of the governor was dismissed because he had not adopted sufficient vigor in pressing the demands

of the English government; and Mr. Bristow was appointed resident, under the implied as well as declared expectation, that he would supply what had been remiss in the conduct of his predecessor.²

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No long time however elapsed before the removal of Mr. Bristow also took place; and in February, 1784, Mr. Hastings undertook a second journey to Lucknow, the capital of Oude, under pretence of settling the affairs of the country, and making such arrangements as would enable the nabob to fulfil all engagements: his journey was opposed by the other members of council; but opposition was of no avail. In proceeding to Lucknow, he passed through the province of Benares, which in the time of Bulwart Sing, and Cheyte his son, had exhibited marks of high prosperity; and there he witnessed the effects of his late measures: the first deputy, substituted for the exiled rajah, had been dismissed for not completing the sum exacted by the governor; the second therefore acted on the principle, that payment must be made; the consequence of which was, that the people were plunged into misery, and desolation pervaded the whole country. 'From the confines of Buxar,' says Hastings, 'to Benares, I was followed and fatigued by the clamors of the discontented inhabitants: I have seen nothing but traces of complete devastation in every village: the administration of the province is misconducted, and the people oppressed; trade discouraged, and the revenue in danger of a rapid decline from the violent appropriation of its means.' The arrangements for the government of Benares were intirely his own, and for the effects of them he alone was answerable; but in order to remove the blame from himself, he transferred it all to his unfortunate deputy, whom he removed from office.

The governor-general arrived at Lucknow in the end of March, 1784, and had some success in obtaining money from the minister into whose hands the government had been transferred: he now partially restored the begums to their estates, in compliance with the

² Mill, vol. iv. p. 428.

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wishes of the directors; but reported that those personages had made a voluntary concession of a large portion of their respective shares. After a residence in Lucknow of five months, he returned to the presidency on the fourth of November; and on the eighth of February, 1785, resigned his office, and embarked for England.

Maddoo Row,³ the warlike chief, or peishwah, of the Mahrattas, having died in 1772, was, after a short interval, succeeded by Ragonaut Row, better known under the name of Ragobah; whose authority however was not fully acknowledged, and who was soon afterwards deposed: the presidency however at Bombay took this opportunity of concluding an alliance with him, by which he consented to yield up to them Bassein, with the island of Salsette,⁴ on condition of being supported by an English army: in pursuance of this agreement, the allies fought; and having gained a victory over the Mahrattas of Poonah, expelled them from Guzerat. This advantageous treaty was strangely deprecated and counteracted by the supreme council of Calcutta, which regarded with feelings of jealousy any attempt to originate important measures independently of its authority: colonel Upton therefore was despatched, in July, 1775, to treat with the Mahratta ministers at Poonah; and he concluded a treaty,⁵ with much difficulty, on the first of March following, by which the cause of Ragobah was abandoned, and the territorial cessions made to the English renounced. Intelligence however of its conclusion had scarcely reached Calcutta, when letters arrived from the directors, highly approving the first treaty made by the Bombay presidency with Ragobah, and commanding the supreme council to co-operate toward its fulfilment: encouraged by this approbation, the Bombay council stood on the watch for a favorable opportunity of infringing the second treaty; and the Poonah rulers showed no disposition to carry its stipulations into

³ This word signifies in our language 'leader.'

⁴ The English had occupied these places to prevent their falling again into the hands of the Portuguese.

⁵ Called the treaty of Poorunder.

effect. After considerable alarm had been excited by the arrival of a French ship in one of the Mahratta ports, and the reception of an adventurer who assumed the title of French envoy, a fresh treaty was concluded with Ragobah, a loan advanced to him, and an English army of 4500 men sent toward Poonah; but the expedition ended in defeat and disgrace: the English commander declared it impossible to withdraw his troops to Bombay in face of their enemies; accordingly a convention was settled, in which every thing was conceded to them; Ragobah was placed in the hands of the Mahratta chief Sindia, and two Englishmen were left as hostages for the fulfilment of these humiliating terms. A detachment from Bengal, under colonel Goddard, had advanced as far as Boorampoor, to co-operate with the Bombay army, when intelligence of these disasters reached its commander: he accordingly marched on Surat, and arrived there in safety about the end of January, 1779: being invested with full powers by the supreme council, he attempted to open negotiations with the Poonah government on the basis of the treaty of Poorunder; and the discordance which prevailed among the Mahratta chiefs made them listen to his overtures. In the mean time, Ragobah again made his escape, and took refuge at Surat: the negotiations were now broken off; colonel Goddard proceeded to Bombay to concert a plan of operations; while it was arranged at Seringapatam, between Hyder Ali and the Poonah envoy, that the former, on condition of receiving a confirmation of all grants made to him by Ragobah, should bring out his whole force and join the confederates, who were at this time allied for the purpose of expelling the British from India.

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On the side of the Carnatic, the usual course of intrigues, contentions, and oppression had been going on. As if the combined system of government, by the Madras presidency, the nabob of Arcot, and the supreme council of Calcutta, subject to the control of the directors at home, was not sufficiently complicated, a minister plenipotentiary, in the person of sir John

Affairs of
Madras.

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Lindsay, had been sent out by the British ministry in 1770 to act with independent powers; and by his ill-advised measures, the despicable and faithless nabob, Mohammed Ali, was elevated from a dependant and pensioner on the company, to the rank of an ally and fellow-sovereign with the king of Great Britain.

Mohammed Ali, being bent on a Mahratta alliance for the purpose of overwhelming his hated enemy Hyder Ali, was supported by sir John Lindsay against the views of the presidency: and although this envoy was recalled, and sir Robert Harland sent out with similar powers, the only difference between them was, that the latter was still more intemperate than the former; nor was it long before a most disgraceful measure was concerted. The nabob had long coveted possession of Tanjore, the rajah of which had been our firm and useful ally in the last French war, and had since remained on terms of strict friendship with the Madras government: his enemy, however, the nabob, who by art and gold had acquired extensive influence in the council, at length overcame all their reluctance to his ambitious views;⁶ and in 1773, without any colorable or assigned pretext for aggression, except that the rajah's power was dangerous in the heart of the province, this unfortunate prince was attacked, his capital stormed, and himself with his family carried off as prisoners. Intelligence of these transactions, condemned for their cruelty and injustice wherever they were heard, naturally excited indignation in the company, who also began to entertain fears on account of that visible ascendancy which the treacherous nabob had obtained over their own servants: it became necessary therefore to send out some person of high character and experience as governor of Madras, to rectify the many abuses committed there; and lord Pigot was selected for this important mission.

Adminis-
tration of
lord Pigot.

He arrived at the presidency in the latter part of 1775, and in the ensuing year proceeded to exert the authority committed to him for restoring the deposed

⁶ Mr. Burke observed, in his speech on the Carnatic debts, that the gold of this Indian chief returned eight members even to the British parliament.

rajah: his representations however had no effect with the nabob, encouraged, as he was, in disobedience by the council; many of whom had lent to him large sums of money on very usurious terms, for which the revenues of Tanjore were pledged: his lordship was therefore obliged to visit that province in person; and though he succeeded in restoring the rajah to his ancient and hereditary throne, he attracted to himself the mortal enmity of the nabob, and a corrupt combination of a majority in the council, strengthened by a dangerous power lodged with the commander of the forces: this hostility soon showed itself, when, in consequence of many disputes and cabals, it became necessary to send a proper officer to Tanjore. The governor's adversaries at first agreed with him in the propriety of the measure, and his designation of the person; but they soon altered their opinions respecting the latter; and insisted that, being a majority of the council, they had a right to act independently of the governor's sanction or dissent: lord Pigot, under these circumstances, took a resolution, which nothing but the extreme exigency of the case could justify. By the standing orders of the company, no member of the council, against whom a charge was preferred, was allowed to deliberate or vote on any question relating to that charge: at a meeting therefore of the council, when the majority were preparing to send instructions to colonel Stuart, which the governor refused to sanction, he preferred a charge against the first two members who signed them; and these were of necessity excluded from the council-chamber: the president then acquired a majority by his own casting vote; and as a resolution was carried to suspend the accused from their functions, he thus made that majority permanent. At the next council, the excluded members and their party refused to attend; but sent a protest, denouncing the act of the previous meeting, declaring themselves the governing body, and sending the document to the principal officers, civil and military, within the presidency: in consequence of this outrage, lord Pigot immediately summoned the council,

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when they passed a vote suspending all the members who had signed the protest; while sir Robert Fletcher, commander in chief, was put under arrest, to be tried by a court martial.

Their opponents however were not behind them in violence; for they speedily assembled, and declared themselves a council vested with all the powers of government; resolving to arrest the person of lord Pigot, and to confer the command of the army on colonel Stuart, who was appointed to put their design into execution.

This gentleman, being aware that violence offered to the governor's person by troops within the precincts of the fortress would subject them to condign punishment under the mutiny laws, contrived a plan to evade it: on the twenty-fourth of August, after dining with lord Pigot, he complained of the excessive heat of the fortress; and observing his host also to be affected by it, he advised him to spend the night at a villa outside the walls; offering, as his professed friend, to accompany him in the excursion. The governor being persuaded, they set out together; but had scarcely passed the precincts of the fort, when they were met by an officer and party of sepoys, by whom his lordship was rudely dragged out of his carriage, carried prisoner to the Mount, and kept in strict confinement: public orders, denouncing immediate death on all who should attempt his rescue, were issued by the conspirators; who, after a course of legal forms, assumed the whole authority of government.

Representations of these transactions were transmitted by the different parties to Europe; and the nabob also, who had taken so active a share in the disturbances, sent an agent both to the company and to ministers. A court of proprietors recommended the reinstatement of lord Pigot, and the punishment of those who had dispossessed him of his power; but the directors, being of opinion that some parts of his lordship's conduct had been reprehensible, and ministers also having listened with favorable ears to the arguments of his opponents, the question was, on

the ninth of May, 1777, again brought under discussion; when it was resolved that the governor should be restored, but that he and the council of Madras should be ordered home, in order that their conduct might undergo a legal scrutiny. From this resolution governor Johnstone appealed to the house of commons; moving that it should be rescinded, since lord Pigot had only exerted a justifiable authority in promoting the company's interests. The adherents of ministers censured the conduct of his lordship, and contended that it was but equitable to bring both parties to England, where only an impartial inquiry into their conduct could be obtained: by the restoration of lord Pigot, it was said, the dignity of government would be supported; but as he had violated his trust, and the constitution of the company, his removal was just and necessary. Members of opposition justified the governor's conduct: Mr. Fox strongly condemned that violent spirit which had encouraged such outrages against so eminent a man; that ambition which had usurped the powers of government; and that selfish meanness which had acted in subserviency to an artful and unprincipled potentate: Mr. Burke also entered largely into the character of the nabob of Arcot, and the corrupt influence acquired by that perfidious prince, not only in the council of Madras, but also in this country: the British government, by espousing his cause, as well as that of his factious partisans, and by countenancing schemes destructive to the company's interests, had rendered parliamentary interference necessary for the preservation of our territorial possessions in the east. Governor Johnstone's appeal was rejected, though by a smaller majority than that which usually voted with ministers.

Before the orders, however, could reach India, lord Pigot was no more: his constitution, enfeebled by age, had sunk under the combined effects of anxiety, climate, and confinement: his oppressors, being taken up under a sheriff's warrant, were tried for murder, but honorably acquitted: several of them afterwards coming over to England, the matter was again brought

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before the house of commons by admiral Pigot, who strenuously defended his brother's conduct.⁷ He moved for an address, praying that his majesty would be graciously pleased to order a prosecution, by his attorney-general, of George Stratton, Henry Brooke, Charles Floyer, and George Mackay, esqrs. Mr. Stratton, who happened to be present in his place, attempted to vindicate himself and his colleagues, but failed to convince the house of their innocence; for the motion was carried without a division: the trial took place before lord Mansfield on the twentieth of December, 1779, when the jury found the defendants guilty, and they were adjudged by the court to pay a fine of £1000 each. We must now revert to the transactions of another hemisphere; after observing that the conduct of ministers and their adherents in these disgraceful affairs, placed the necessity of parliamentary reform in as strong a light as its advocates could desire.

⁷ He stated that lord Pigot had been offered a bribe of near £600,000 to withhold only for a short time the reinstatement of the rajah of Tanjore. The crops of the current year seem to have been mortgaged to the usurious creditors of the nabob of Arcot: yet lord Pigot died so poor, that his son-in-law, Mr. Monckton, was obliged to sell all his houses and effects in India to discharge his debts contracted during his government.

CHAPTER XIX.

GEORGE III. (CONTINUED.)—1777.

American campaign—Expedition of the British up the Hudson—Of the Americans to Long Island—Operations of general Howe against Washington in the Jerseys—Seizure of general Prescott on Rhode Island—Expedition of the British army against Philadelphia—Battle of the Brandywine—March of the British towards Philadelphia—Surprise of general Wayne—Lord Cornwallis takes possession of Philadelphia—Two American frigates burnt in the Delaware—Action at German Town—Opening of the Delaware—Washington takes up a position at White Marsh—Removes to Valley Forge for winter quarters—Suffering of the army—Representations of Washington to congress—Plan of general Burgoyne's expedition from Canada—His advance and proclamation—Ticonderoga fort falls into the hands of the English—Difficulties in the way of general Burgoyne—Failure of the British against Fort Stanwix and at Benington—Americans retire to Saratoga—Reinforced by Arnold—General Gates takes the command—The British advance—Attacked by general Arnold—Repulse the enemy, but lose 600 men—Ill effects of this action—Burgoyne fortifies his position—Sir H. Clinton's expedition up the Hudson—Putnam retires—Capture of forts Clinton and Montgomery—American vessels, and Kingston burnt—Sir H. Clinton returns to New York—Arnold attacks his antagonists, but suffers loss—Burgoyne is surrounded on all sides—Capitulates to general Gates—Terms of convention, &c.—Conduct of the American congress regarding the troops—American privateers—Meeting of parliament—King's speech—Address, and debates on it in both houses—Duke of Richmond's motion for a committee to inquire into the state of the nation, and for the production of papers—Mr. Fox makes a similar one in the lower house—Army and navy estimates—Intelligence of Burgoyne's defeat—Lord Chatham's motions for addresses to his majesty—Debates thereon—Royal assent given to several bills—Motion for an adjournment carried—State of public feeling—Regiments raised by different towns, &c.—Subscription for American prisoners—Princess Sophia born—Duty on auctions and inhabited houses.

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British expedition up
the Hudson
river.

THE campaign in America began early in the spring with some spirited enterprises on both sides: a detachment of British forces under colonel Bird destroyed the enemy's stores at Peekskill, about fifty miles up the North river: and governor Tryon, at the head of 2000 men, draughted from different regiments, burnt some large magazines at Danbury, in Connecticut, and reduced the town itself to ashes. During the time spent in this service, the American generals Wooster, Sillman, and Arnold, collected the militia, and greatly harassed the royal troops in their retreat: in one of these skirmishes, Wooster was mortally wounded; and though the indefatigable Arnold, by crossing the country, took up a very advantageous post in their line of march, at Ridgefield, yet his intrenchments were forced by the courage and discipline of the British forces; the Americans were scattered on all sides; and their commander himself, after some extraordinary acts of personal valor, had a narrow escape: being, however, only broken, and meeting with reinforcements of men and artillery, they continued to assail our retreating troops, whenever they had an advantage of ground; and thus harassed the British in flank and rear, until they gained the hill of Compo, near the Hudson, where the naval part of the expedition was left. As the Americans appeared to be preparing for a desperate assault; sir William Erskine, placing himself at the head of 400 picked men, charged their advancing columns with the bayonet, and put them to so general a rout, that the royal forces were permitted to re-embark without farther molestation. The success of this enterprise, however, was scarcely a compensation for the loss of 200 men and ten officers killed or wounded: the great exertions and brilliant conduct of general Arnold procured him promotion from the congress, and the public donation of a caparisoned charger.

American
expedition
to Long
Island.

In return for these incursions, the effects of which were severely felt by the Americans, the Connecticut men sent a small force under colonel Meigs against Sag's harbor in Long Island, where commissaries had

been employed in collecting forage, grain, and other necessaries for the British army. On the twenty-third of May, about 150 men, crossing the Sound in whale boats, landed on the northern branch of the island: thence dragging their vessels over a tongue of land, they embarked again, and landed on the southern branch, within four miles of the point of attack. Arriving there before daybreak, they rushed on with great impetuosity; and notwithstanding the resistance of the guard, and the severe fire of a schooner lying within 150 yards of the shore, they effectually accomplished the object of their enterprise, by burning a dozen vessels which lay at the wharf, and destroying all the stores deposited on shore: they also carried off near 100 prisoners, including the officer on duty, with his men. This exploit of colonel Meigs was acknowledged by the gift of an elegant sword from congress.

After the British had obtained possession of New York, their next grand object was Philadelphia; but in this they had been hitherto baffled by the skill and intrepidity of the American chief: from the situation of the troops under lord Cornwallis at Brunswick and Amboy, so near to those under Washington at Morristown, the duty had been severe and unremitting; while frequent attempts were made on both sides to surprise each other's outposts. Though the Americans were generally worsted in these encounters, yet they became gradually inured to military service, until Washington having received large supplies of men from the different provinces, quitted his camp: advancing then toward Brunswick, he took possession of an almost impregnable line of country along Middle Brook, commanding a full view of his adversary's motions. The army at New York was not able to take the field till June, for want of tent and field equipage; which at length arriving, with some British and German recruits, sir William Howe passed over with all his forces to the Jerseys, and in a well-concerted stratagem nearly succeeded in finishing the campaign by a single blow. Feigning a retreat, and leading off his troops to Amboy, as if about to pass a bridge which

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he had thrown over the narrow channel to Staten Island, he drew after him several large bodies of the provincials under generals Maxwell, Conway, and lord Stirling: even Washington himself, with all his caution, left his inaccessible heights, and advanced to a place called Quibble-town, to be nearer at hand for the support or protection of his advanced parties. The British general then expeditiously marched the army back by different routes, in the hope of cutting off his immediate pursuers, and of coming up with Washington's main body; while lord Cornwallis, with his column, was ordered to take a circuit, and secure some mountainous passes, the occupation of which would have reduced Washington to abandon that strong position which had hitherto afforded him security. In prosecuting this part of the plan, his lordship fell in with a detachment of about 3000 provincials under lord Stirling and general Maxwell, strongly posted, and well provided with artillery: but the Americans, unable long to sustain the impetuosity of British troops, fled, and were pursued as far as Westfield, leaving behind them three pieces of brass cannon, and about 200 men in killed and wounded. Washington however saw his error, and quickly remedied it, by regaining his station on the hills, and securing those passes, which were the main object of lord Cornwallis's expedition. The British general, despairing of any future scheme for bringing his antagonist to action, drew off his forces to Staten Island, with the intention of conveying them by sea into the heart of Pennsylvania.

Capture
of general
Prescot.

During the cessation of hostilities occasioned by these movements, an American colonel, of the name of Barton, conducted a spirited enterprise; in which he carried off general Prescott, the commanding officer on Rhode Island, who had imprudently fixed his head quarters near the western shore, at a considerable distance from his troops. A party having landed about midnight, and surprised the sentinel, seized the general in bed, and hurried him on board a boat, in which they passed under the stern of the British

guard-ship, and conveyed him safely to Providence. This capture, which was a fair retaliation for the surprise of general Lee, soon restored that officer to the American cause by exchange.

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On the twenty-third of July the British fleet set sail from Sandy Hook; and after a tedious voyage, landed its troops at the head of Chesapeake-bay; for the navigation of the Delaware had been impeded by obstructions of stupendous magnitude, under the advice of Dr. Franklin. Washington, having received intelligence of these movements, took possession of some heights on the eastern side of the river Brandywine, which falls into the Delaware below Philadelphia, intending to dispute the passage. By daybreak on the eleventh of September, the British army advanced in two columns from the head of Elk, driving in the advanced guards of the enemy toward Chad's-ford, where a passage was to be attempted: to this place general Knyphausen advanced with the second division of the army, as a feint; while lord Cornwallis, at the head of the other, took a circuitous rout, crossed the forks of the Brandywine, and fell on the enemy's right.¹ As soon as the success of his lordship's attempt was made known by the cannonade in that quarter, Knyphausen gallantly crossed the ford, and carried the batteries: at four o'clock in the afternoon, the British united forces attacked the Americans under general Sullivan, who, to the number of 10,000, were strongly posted on the heights above Birmingham

Battle of
the Bran-
dywine.

¹ 'It seems, that Washington, suspecting this manœuvre, had formed a plan of crossing the river himself at Chad's-ford, before his lordship could come up, for the purpose of attacking the British troops, having left artillery and baggage behind: that the first New Jersey regiment, to which captain Ogden belonged, was posted in advance, and prepared to make the attack; when an answer was sent by Washington to a message from its commander, that he was distracted by contrary intelligence; and he did not send the expected order to advance. It seems that colonel Hamilton, one of Washington's aides-de-camp, had reconnoitred the enemy, and informed the general that they were in full march up the river, on the other side of it, towards his right: at the same time an express arrived from general Sullivan, who had been placed on the right for the purpose of observing the enemy's movement, saying that there were no troops on that road. On what small circumstances often hang the results of a battle! The videttes sent out by general Sullivan had spent their time in drinking at a tavern; and on their return, reported that the enemy was not on that route: accordingly, the general wrote on a drum-head his despatch, containing this contradictory intelligence; and Washington's right was turned.'—Life of Ogden, in American National Portrait Gallery.

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church: from thence they were obliged to retire to their forests for refuge, where they obtained reinforcements, and took up another position; but were again driven from it, and compelled to fly with precipitation, leaving 300 killed in the action, 600 wounded, and 400 prisoners: they lost also several pieces of artillery; but Washington kept together his corps, and retired with his cannon and baggage to Chester, where he remained for the night, unmolested by pursuit:² next day he continued his retreat to Philadelphia, where he collected many of his routed troops, and repaired from the magazines of that city the losses which he had sustained in stores. As he had to march twenty-three miles to Philadelphia, which was distant only eighteen from the British camp, sir William Howe was much blamed for his remissness in pursuing and intercepting him; but in excuse it was remarked that the horses were in miserable condition; and the men, after long confinement in transports, were not capable of such exertions as a rapid pursuit of the enemy would have required.

Works for the defence of Philadelphia were carried on with unremitting diligence; while Howe advanced with caution, and endeavored by manœuvres to distract the attention of the enemy, who hovered about him, and threatened an attack. On the twenty-sixth, Washington determined to risk an engagement in order to save the place, and both armies drew up in battle array on the Lancaster road: but a violent storm, with a deluge of rain, parted the combatants; and the Americans, finding their ammunition spoiled, withdrew to a place of security: after one more vain demonstration of attack, they finally retired, and left the roads to Philadelphia open for invasion.

Sir William Howe, while preparing to advance on that city, received information, that general Wayne, with 1500 men, had moved into the rear of the British army, and taken a position in the woods, for the purpose of harassing their march: accordingly, major-

² The marquis de la Fayette, who was only nineteen years old, and a volunteer in the American service, was wounded in this action.

general Grey was sent with two regiments and a body of light infantry, to attack them; which service he performed with singular energy and skill. Having resolved that his men should trust entirely to the silent effect of the bayonet, and taking every flint out of their muskets for greater security,³ he effectually surprised the outposts; and then, guided by the light of the enemy's fire, rushed on them with such impetuosity, that 300 were killed or wounded on the spot;⁴ and the remainder, though they escaped through the darkness of the night, lost all their baggage and stores. Three days after, the British army passed the Schuylkill, and on the twenty-sixth took post in German Town: Congress was then obliged to fly, first to Lancaster, and afterwards to York-Town in Virginia; while general Washington withdrew to Skippach-creek, a strong post about sixteen miles distant; and lord Cornwallis, at the head of a strong detachment, took undisputed possession of Philadelphia on the twenty-seventh: thus a communication was rendered easy between the northern and southern provinces; nor was anything wanted for active co-operation between the army and navy, but the opening of the Delaware.

Capture of
Philadelphia by the
British.

To effect so desirable an object, a corps under colonel Stirling crossed that river on the first of October; and taking possession of Billingsport, enabled captain Hammond, of the Roebuck, partially to remove the lower line of *chevaux de frise*, though the two upper still remained in possession of the enemy, together with the forts that defended them: at this period lord Howe arrived with his fleet, and anchored along the western shore, from the town of Newcastle to Reedy Island. The United States frigate, the Effingham, had been carried up the river by her commander, captain Barry,⁵ within a few miles of the city; where, as well as the Washington, she was burnt by a detachment sent by lord Howe for that purpose.

³ He acquired the name of 'No-flint Grey' from this action.

⁴ A monument has been since erected there to the memory of the slain.

⁵ 'An offer was made to him of 15,000 guineas, and the command of his frigate in the king's service, if he would bring her in; but the bribe was indignantly rejected.'—Life of Captain Barry, in the American National Gallery.

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Washington, having gained intelligence of the British movements by some intercepted letters, and having also received considerable reinforcements, de-camped at seven o'clock in the evening of the third of October, and at daybreak next morning attacked the fortieth regiment, at the head of German Town: their brave commander, lieutenant-colonel Musgrave, though obliged to retreat, threw himself with five companies into Chew's-house, a large stone edifice in the village, fronting the enemy; by which judicious movement he arrested their progress till the British troops could get under arms, and prevented the separation of the right and left wings. The American general here made one of those few mistakes which detract from his brilliant career: instead of leaving a corps to blockade this temporary fortress, he brought up a whole brigade, with four pieces of cannon; and wasted his valuable time in attempting to reduce it: but the small British garrison resisted all its efforts, pouring an incessant fire on his troops through the windows, till they were relieved by major-general Grey and three battalions of the left wing, supported by brigadier-general Agnew at the head of the fourth brigade. The engagement however was warmly carried on: a body of troops passed Chew's-house on the eastern side, and penetrated so far into the British lines, that the ninth Virginia regiment was assailed at once in front and both flanks; when its commander, Matthews, surrendered; but not until nine bayonet wounds bore evidence to the bravery of his resistance. On the western side, the Maryland troops under major Howard, after driving in a corps of British light infantry, and pursuing them through their encampment, advanced about a quarter of a mile toward the main army, where they maintained their position until the unsuccessful attack on the house obliged them to retreat.⁵ A fog, which covered the ground during this contest, enabled the colonists to

⁵ 'It was the opinion of that officer, who married a lady to whom this noted house belonged, that instead of colonel Musgrave's retreat into it being a prompt movement, on the pressure of instant danger, it was only the execution of a plan previously arranged, in case of attack.'—Life of Colonel Howard, in the American National Gallery.

carry off their artillery; but to the same cause has been attributed the want of renewed and concerted operations by the American general, after so many corps had passed Chew's-house; the fog being so dense, that the positions of the different divisions could not be ascertained.

The grand object of opening the navigation of the Delaware was eagerly pursued by one party, and no less vigorously opposed by the other. Washington, despairing of any effectual attack on the British army, sent strong reinforcements to the different garrisons, and fortified Red Bank, a height opposite Fort Mifflin, between which places the naval armament of the Americans was stationed: a spirited attack on this post, made by a strong detachment under count Donop, failed through the shameful want of scaling-ladders: its brave leader expired of his wounds; and of his followers about 400 were placed *hors de combat*: two sloops of war also, the Augusta and Merlin, which were sent up to aid in the assault, ran aground, while they endeavored to avoid the *chevaux de frise*, and were both burnt. Preparations however being completed for attacking Mud Island, the chief defence of the river, and situated about seven miles below Philadelphia, a vigorous cannonade compelled the garrison to retire in the night of the fifteenth of November to Red Bank, which also was abandoned at the approach of lord Cornwallis: the ponderous *chevaux de frise* were weighed, though with great difficulty; and the Delaware was completely opened to the British.

Washington, who had been reinforced by 4000 men from the northern army, now took up an advantageous position at White Marsh, about fourteen miles from Philadelphia: his antagonist, finding himself, by this proximity of the American forces, shut out from a fertile source of supplies, quitted Philadelphia, and endeavored to bring them to action; but was foiled in every attempt.

Determined however to defend the country from depredation, support the cause of congress, and restrict the influence of the British commanders to their place

Sufferings
and con-
stancy of
the Ame-
ricans.

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of residence, the American general selected Valley Forge for a winter station; and there, while their foes were luxuriating in the comfortable quarters of a large and wealthy city, the colonists suffered such distress, that nothing but the most ardent spirit of liberty could have supported them: so unprovided were they with the most necessary articles of clothing, that their march from one place of encampment to another might be traced by the blood which their naked and torn feet left on the snow. The extent of Washington's influence with his army may be estimated, by his inducing them, not only to endure with him the inclemency of a winter in the open country, but to build huts for shelter in default of tents: hundreds of these brave men had not even blankets for a cover in the night season, while the winds blew, and the storm beat, and the snow drifted over them: naked and shivering, they lay on the bare ground; but their stout hearts never quailed: those that lived, endured patiently the miseries of their lot; and those that died, expired with silent resignation. Hunger failed not to add its lingering tortures to their sufferings. The commissariat department, imperfectly organised, had given cause for continual complaints: Washington had sent frequent and earnest remonstrances; but the evil could not easily be obviated without creating great distress in other quarters: Congress authorised the seizure of provisions within seventy miles of headquarters; and though the general was once compelled by stern necessity to avail himself of this authority, he exercised it with great forbearance, and acknowledged without delay his repugnance ever to recur to such an exercise of power.⁶

At this time a party was formed in congress to displace the commander in chief;⁷ and a few military officers encouraged the discontent by extolling the services of Gates above those of Washington: the legislature of Pennsylvania too increased the dissention, by remonstrating against the removal of troops into

⁶ See Washington's Letters, vol. ii. p. 222.

⁷ Life of Washington, in American National Gallery.

winter quarters: but the machinations of faction were unsuccessful; the general possessed the confidence of his country, and was thoroughly beloved by his soldiers; so that the only effect produced was indignation against those that were thought inimical to his authority: but while these intrigues were going on, the sufferings of his men drew from their commander an energetic communication to congress; in which he stated, that without some efficient change in the commissariat department, the army would be reduced to starvation or dissolution; that there was not in the camp a single head of cattle to be slaughtered, nor more than twenty-five barrels of flour; that there were 3000 men unfit for duty, because they were barefooted and otherwise naked; beside those confined by sickness in the hospitals and farm-houses. Even then a considerable time elapsed before the exertions of congress and the state-governments afforded relief, and enabled the troops to make preparations for the next campaign.

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Representations of Washington to congress.

From these transactions in the middle states we must now revert to some important and contemporaneous events in the northern provinces. A plan had been formed by the British government to send an army by the Canadian lakes to Hudson's river, and cut off all communication between the northern and southern colonies: the command of this expedition was given to general Burgoyne; an act of great imprudence in lord North, who for the sake of gaining parliamentary interest from the ranks of his opponents, disgusted a very meritorious officer, sir Guy Carleton, and occasioned his resignation. Nothing, however, was wanting on the part of the ministry in other respects to promote the success of this undertaking: 7173 veteran troops, with a detachment of artillery, all well equipped and well officered, were sent from England; while military stores were provided in abundance for the Canadians who might enter the British service: several tribes also of savages, near the back settlements and borders of the western lakes, joined this force, having resolved to take up the

Expedition of Burgoyne from Canada.

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hatchet against the colonists. The acceptance of their services was severely censured, not only in the American congress and the British senate, but by the public press, as abhorrent to humanity and religion: in excuse, it was urged, that the employment of subsidiary forces in any war, foreign or civil, is a practice in which all nations concur; and the Indians had been engaged in former contests by Americans, French, and English, without exception or reproach; also that from the known disposition of these savage nations, and the anxiety of the colonists to engage them, they would have been employed against us, if we had refused their offers.

All necessary preparations being concluded, general Burgoyne and his army left St. John's on the sixteenth of June; and proceeding up lake Champlain, landed without resistance, and occupied a station near to Crown Point: here he met a congress of Indians; and in compliance with their customs, gave them a war-feast, addressing to them a speech, designed to mitigate their ferocity, and direct their energy to proper objects: he also issued a proclamation, displaying the motives by which Great Britain was impelled to assume her warlike attitude; and describing, in high colors, the tyranny, injustice, and hypocrisy of the American congress. Encouragement was promised to all who should assist in restoring legal government, and protection to the peaceable and industrious; while the inflictions of war, in their most dreadful forms, were denounced against those who engaged in active hostilities: but the high-sounding terms and impolitic menaces of this manifesto had no other effect than that of exciting indignation among the revolted colonists, and impelling them to an obstinate resistance.

The Americans had greatly strengthened the works at Crown Point and Ticonderoga; but as they had not troops sufficient to man them, general St. Clair called a council of war, in which it was determined to evacuate those posts, and retire by night towards Skenesborough, the baggage and stores being despatched in

vessels up the South river. As soon as the dawn revealed their flight, they were pursued, and great part of their naval force was captured near the falls of Skenesborough; brigadier-general Fraser also having overtaken the rear of the retreating army, intirely dispersed it, after the Americans had left their commander, colonel Francis, with many officers and 200 men, dead on the field: a similar number were taken prisoners, and 600 were supposed to have died undiscovered in the surrounding woods. The van, under St. Clair, after a fatiguing march, arrived at fort Edward on the Hudson, where general Schuyler, commander in chief, was stationed, who then had about 4400 men under his orders: these might easily have been dispersed by Burgoyne, if he could have depended on supplies; but his sole resource was in those that were brought from England, and despatched through Canada with infinite labor and trouble: this was one of the insuperable difficulties of which ministers were forewarned by those who deprecated a contest with our American colonies.

As the British troops advanced toward the Hudson, they met with innumerable obstacles in their march through a wild country, in a sultry season, where all the roads were obstructed by forest trees, felled, and thrown across them: a slow progress also afforded the enemy time to recruit their forces, and to resuscitate the enthusiasm of their countrymen: such indeed was the alacrity of the people in rallying round the national standards, as fully to justify the observation of St. Clair, when he abandoned Ticonderoga—‘that he had lost a post, but had saved a province.’ Reinforcements coming in from the populous states of New England soon swelled the provincial army to 13,000 men; while Burgoyne began to be deserted by his allies, especially the Indians, offended by his attempts to restrain their savage mode of warfare: he was also disappointed in the result of an expedition sent from Canada across Lake Ontario, under brigadier-general St. Leger, against Fort Stanwix; that officer being obliged to retreat, after abandoning his tents and stores to the

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garrison; moreover the Indians, disappointed of other plunder, began to pillage the baggage of their allies: also at the very time when Burgoyne heard of this disaster, he experienced one still more severe in the defeat of colonel Baum with a large detachment of German troops at Benington, where they had been despatched for the purpose of intercepting some supplies, of which the British army stood greatly in need. The Americans, augmented by continual accessions of strength, succeeded, after many attacks, in breaking this corps, which fled into the woods, and left its commander mortally wounded on the field: they then marched against a force of 500 grenadiers and light infantry, which was advancing to colonel Baum's assistance under lieutenant-colonel Breyman; who, having spent all his ammunition in a gallant resistance, was obliged to seek for safety by retreating on the main army: but the British loss in these two actions exceeded 600 men; moreover a party of American loyalists, on their way to join the army, having attached themselves to Baum's corps, were unfortunately destroyed with it; a circumstance which greatly discouraged that body of men, and checked their zeal in similar attempts.

These defeats, and the failure of general St. Leger, who had been expected not only to create a diversion of the enemy, but to join the main army with a large reinforcement at the mouth of the Mohawk river, contributed much to the ruin of Burgoyne's expedition. The American troops had, on the advance of the British, retired from Fort Edward, to Saratoga, lower down the Hudson, where they were joined by a considerable body of men and artillery under general Arnold; and soon afterwards, Schuyler, whose health had become much impaired, was superseded by general Gates, an active and intelligent officer, appointed by congress to arrest the march of the invading army.

General Burgoyne having by unremitted exertion collected provisions for thirty days, resolved to cross the river: this design he effected by means of a bridge of rafts, and encamped about the middle of September.

on the heights of Saratoga, in face of the enemy, who were strongly posted at Still Water, about eight miles from Albany, and who showed no signs of quitting their position. The movements of the British general were retarded by a heavy train of artillery, and roads almost impassable in consequence of heavy rains: at length, on the nineteenth, the army again advanced in several columns; the British taking two different roads over the heights; and the Germans following the main route to Albany, by the river side, for the greater security of the baggage.

About noon, however, the Americans, under Arnold, attacked the British corps with great spirit, and a severe conflict was kept up till evening; when general Philips, who commanded the left column, brought up the Germans to join in a charge, which drove off the enemy: this advantage, however, was dearly purchased by a loss of more than 600 men; and though the provincials lost an equal number, yet such a check given to the invading army produced all the effects of victory; and these were soon felt in the supplies of men and food which daily came into the camp: besides, on the very day preceding this action, an American detachment had surprised three companies of the fifty-third regiment, and destroyed the boats on Lake George, which were employed in conveying provisions to Burgoyne's army. Thus, without the power of retreat, with a superior force in front, and deserted by all but about fifty of his Indian allies, the commander in chief judged it prudent to wait for intelligence from the southward; in consequence, he took a position between Still Water and Freeman's Farm, fortifying his right wing, and extending his left to the banks of the river.

At this crisis he received notice of a design of sir Henry Clinton to open a communication with him by an expedition up the Hudson, the forts on which river, being in possession of the Americans, stopped all passage of British vessels to Albany. Three thousand men were convoyed by commander Hotham to Verplank's Point, where a disembarkation was effected

Sir H.
Clinton's
expedition
up the
Hudson.

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without opposition; and general Putnam, deceived by this feint, hastened to occupy the passes on the eastern shore, with reinforcements drawn principally from the fortresses; under an idea that it was Clinton's intention to push through the highlands on that side of the river, in order to join Burgoyne: the British commander, however, at daybreak, passed over to Stony Point, on the western shore, with 2100 men, and in two simultaneous attacks gallantly carried Forts Clinton and Montgomery: this obliged the Americans to burn five ships, lying in that part of the river, and defended by an immense boom stretched from Fort Montgomery to an opposite point called St. Antony's Nose: a flying squadron, under sir James Wallace, ascending the stream, burned many other vessels; and a military force under general Vaughan scattered fire and destruction around them: landing at Esopus Creek, they destroyed two batteries, and an armed galley; after which exploit they wantonly reduced the beautiful town of Kingston⁸ to ashes, with a large collection of stores and provisions. In this expedition, however, though prosecuted with much spirit and ability, they suffered some severe losses; while Clinton, still distant more than 130 miles from the Canadian army, was not only delayed by the necessity of removing impediments, and by want of food, but exposed to attack from a strong force under general Putnam, if he should attempt to proceed by land: being at the same time in lamentable ignorance of Burgoyne's condition, he had nothing left but to retire on New York, after having crippled as much as possible the resources of the enemy.⁹ In the mean time, general Burgoyne, finding his difficulties daily increasing, without any prospect of relief, resolved on a desperate effort to dis-

⁸ The name given to it by the first Dutch settlers was Esopus.

⁹ Soon after his departure from New York, he had received a letter requesting him to make a diversion, which the operation he was then engaged in was well calculated to effect: but Burgoyne, having yet met with no check, did not solicit aid. The day after the capture of the forts, an officer in disguise arrived; but he only represented, that if general Burgoyne did not hear of co-operation by the tenth of October, he should be obliged to retire on Fort Edward by want of provisions. After the destruction of Esopus, general Vaughan wrote to sir H. Clinton, that he could obtain no certain intelligence; though what he did learn filled him with apprehensions.—Adolphus, vol. ii. p. 453.

lodge the enemy from their post on the left: accordingly, he advanced with 1500 men and a considerable train of artillery; but this detachment had scarcely formed, within half a mile of the American intrenchments, when they were suddenly attacked by a superior force under Arnold, and driven back to their camp, with the loss of six pieces of cannon: nor had they long gained the lines before they sustained another furious assault; which, though it was repulsed in the English quarter, and Arnold was wounded, yet succeeded against the Germans, whose intrenchments were carried; colonel Breyman being killed, general Frazer mortally wounded, and about 200 prisoners taken: but what was of more importance to the Americans, they obtained from the spoils of the field a large supply of ammunition, which they much wanted. As they had also effected a lodgement by defeating the Germans, Burgoyne, to prevent himself from being surrounded, immediately changed his position, and withdrew his whole army to some heights behind his former station, leaving all his wounded to the humanity of general Gates and his army; a confidence which was not misplaced: next day these brave men repeatedly offered battle to their opponents, but without effect; for the latter were bent on securing an easier victory, by turning the right of the British army, and enclosing it on all sides. The moment the general perceived this intention, he quitted his position, and fell back to Saratoga, where he found the passes toward the Canadian frontiers all pre-occupied: the farther banks of the river were also lined with troops, which, together with numerous batteaux, commanded the navigation: no means of escape therefore seemed left, but a rapid march by night to Fort Edward; but while preparations were making for this movement, intelligence arrived that the fords at that place were occupied, and the high grounds between Forts Edward and George every where secured.

Burgoyne
surrounded
on all sides.

Lamentable indeed was the condition of the royal forces. Abandoned in the most critical moment by their Indian allies, unsupported by their brethren

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from New York, weakened by the timidity and desertion of the Canadians, worn down by a series of incessant exertions, and greatly reduced through repeated battles, they were invested by an army nearly three times their number, without a possibility of retreat, or of replenishing their exhausted stock of provisions; a continual cannonade raked their camp, and rifle and grape shot thinned their lines; nevertheless, they still retained their fortitude, and nobly upheld the character of British troops.

In the mean time, the American force was hourly increasing; as volunteers came from all quarters, eager to share in the glory of destroying or capturing their most dangerous enemies. The thirteenth of October at length arrived; and the day was spent in anxious expectation of some important result; but no prospect of assistance appearing to the British, and their provisions being nearly spent, hope itself gradually failed, and general Burgoyne thought proper, in the evening, to take an account of the provisions left: as these were found barely sufficient for three days, a council of war was called, and made so general, as to comprehend captains of companies. Their unanimous opinion was, that the situation of the army justified capitulation on honorable terms; and a messenger was accordingly despatched to open a communication with the enemy. General Gates, in the first instance, demanded that the British troops should ground their arms, and surrender themselves prisoners of war; to which proposal the following reply was sent. 'This article is inadmissible in any extremity: sooner than the army will consent to ground their arms in their encampment, they will rush on the enemy, with a determination to take no quarter.' After much negotiation, a convention was settled, of which the following were the principal stipulations. 'The British troops will march out of their camp, with all the honors of war, to the verge of the river, where the arms and artillery are to be left:—the arms to be piled by word of command from their own officers:—a free passage to be granted both for officers and men to Great

Capitulation with
general
Gates.

Britain, on condition of their not serving in North America during the present contest; and the port of Boston to be assigned for transports to receive the troops, whenever general Howe shall give the order:—the army under general Burgoyne to march toward Massachusetts-bay, by the easiest route, to be quartered in or near to Boston:—the troops to be supplied with rations by general Gates's orders, at the same rate as those of his own army:—all officers to retain their carriages and bat-horses; and no baggage to be molested or searched:—the officers, as far as circumstances will admit, not to be separated from their men; and to be quartered according to their rank:—every corps in general Burgoyne's army to be included in the above articles:—all Canadians, and other followers, to be permitted to return to Canada, to be conducted to the first British post on Lake George, supplied with provisions like the other troops, and bound by the same condition of not serving during the present contest:—passports to be granted to three officers, for carrying despatches to sir William Howe, to sir Guy Carleton, and to Great Britain:—officers to be admitted to their parole, and allowed to wear their side-arms.' So great were the embarrassments of the royal army, incapable of subsisting in its present position, or of making its way to a better, that these terms were rather more favorable than they had a right to expect: on the other hand, it would not have been prudent for the American general, at the head of an army consisting mostly of militia and new levies, to provoke the despair even of an inferior number of brave, disciplined, and regular troops: he rightly judged that the best way to secure his advantages was to use them with moderation. Soon after the convention had been signed, the provincials marched into their lines, and were kept there till the royal army had deposited their arms at the place appointed. The delicacy with which this business was conducted, reflected great credit on the American general: nor did his urbanity end there; every circumstance which could appear like a triumph in the

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victorious army was withheld; the captive leader was received by his conqueror with respect and kindness; many of the principal officers on both sides met at general Gates's quarters, and for a while seemed to forget in social conviviality that they had ever been enemies. The conduct also of general Burgoyne, in his painful situation, was truly dignified; and the historian is at a loss whether to admire most, the magnanimity of the victorious, or the fortitude of the vanquished chief.

The British troops now partook liberally of the plenty that reigned in the American camp; which was the more acceptable, as they were destitute of bread and flour, and had only as much meat as was sufficient for a day's subsistence.

By this convention 5790 men surrendered themselves prisoners of war: the sick and wounded left in camp on the retreat to Saratoga, together with the numbers who were killed, wounded, or taken, or who had deserted early in the expedition, were reckoned to be 4689: the whole royal force, exclusive of Indians, was probably about 10,000: the stores also acquired by the Americans were considerable; for all the British artillery, consisting of thirty-five brass field-pieces, 4647 muskets, and many other useful articles, fell into their hands.

Soon after this convention had been signed, general Gates moved forward to stop the devastations committed by the British on the North river; but he found that they had already retreated: about the same time, the royal troops, which had been left in the rear at Ticonderoga, destroyed their cannon, and retired to Canada; when the whole country, which had experienced for several months the tumults of war, was restored to complete tranquillity. As sir William Howe was loudly and generally blamed for deserting the northern army, it is right to mention the justification pleaded on his behalf. By his expedition to the southward, he drew off the main army under Washington from Burgoyne's line of march, and thus effected the most powerful diversion possible: on the

other hand, had he advanced up the Hudson, Washington with his whole force would have cut off his communication with New York, or with the northern army: besides, by the fall of Ticonderoga and Burgoyne's early successes, his presence seemed to be unnecessary; and had he proceeded to the assistance of a victorious general, he would have appeared as if actuated by a mean spirit of jealousy: added to this, that his instructions from England pointed to Philadelphia as his object. One of the main sources of British misfortunes throughout this war arose from the extraordinary plan of committing the direction of military operations on the other side of the Atlantic to a member of the cabinet¹⁰ at home: the scheme of leading general Burgoyne's army through the impracticable country between Canada and New York, by way of Albany, originated in that quarter; being preferred to the more feasible and important plan of sending it from Quebec by sea, to co-operate with sir William Howe.¹¹

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Congress, it has been said, did not act toward the captive troops in the same spirit of generosity which distinguished the American commander: but let us do justice even to an enemy. When the army arrived in the vicinity of Boston, such unsuitable accommodations were provided for its reception, owing to the ill-will of the people, and the little authority possessed by their rulers, that the officers placed a remonstrance in the hands of general Burgoyne; and he forwarded it to the seat of government, with an additional remark of his own, 'that the public faith was broken.' This declaration strengthened an apprehension previously entertained, that the captured troops, when embarked, would be sent to augment the royal garrisons; and having been made while the general was still in the power of congress, it certainly gave them some cause to suspect that, under all circumstances, he would make this notice a justification of his future conduct: therefore, although he endeavored to explain the

Proceed-
ings of
congress.

¹⁰ Lord George Germaine.

¹¹ Account of Lord North's Administration, p. 289.

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intention and construction of the objectionable remark, under the signature of himself and all his officers, the British troops were not allowed to embark without a distinct and explicit ratification of the treaty of Saratoga from the British government. As the desired document might have been obtained in a few months, the long detention of the captives ought to be referred to the counsels of our own cabinet, rather than to the hostility of congress.

Audacity of
American
privateers.

During this year, American privateers increased in numbers and audacity, insulting the coasts of Great Britain and Ireland in a manner never before attempted: one of them even landed its men at Penzance, to plunder the farms in that neighborhood; and East India ships were ordered to take on board more men for their defence: in the French West Indian islands, the inhabitants not only purchased prizes, but fitted out cruisers against British commerce under American colors and commissions. These offences were overlooked as far as was consistent with national honor; but when the General Mifflin privateer arrived at Brest, and had its salute returned by the French admiral, lord Stormont threatened to quit the country unless he received complete satisfaction: and orders was accordingly issued, as already has been related, for all American vessels to leave the ports of his most Christian majesty: but although this order was positive, so many evasions were practised, and its execution was so much relaxed, that it produced no permanent effect.

Meeting of
parliament.

Parliament assembled on the twentieth of November; its prorogation having been extended to an unusual length, as was supposed, to afford his majesty an opportunity of congratulating the British senate on the splendid success anticipated from general Burgoyne's campaign. The king's speech declared that there was a necessity for continuing the war; and a probability that the land forces must not only be kept complete to their full establishment, but even augmented by new contracts: of the disposition of foreign powers it spoke in a doubtful manner. 'As on the one hand,' said his majesty, 'I am determined that the peace of Europe

shall not be disturbed by me; so, on the other, I shall always be a faithful guardian of the honor of the British crown.' Addresses were moved, as usual, full of lavish panegyric on the speech, and the profound wisdom of ministers: sir Gilbert Elliot, who seconded lord Hyde in the house of commons, declared, in all the fervor of youth, that the rectitude of their measures was so demonstrable, that he wondered how a single Englishman could be found hardy enough to oppose them and justify the Americans. It was at this time made a matter of complaint, that government disseminated, by every power of influence, an opinion that the opposers of its measures were unprincipled, clamorous, and seditious men, who aimed only at embarrassing government, with the hope of rendering its posts untenable, and advancing themselves:¹² indeed, it must be confessed, that many persons, even in the most responsible situations, carried party spirit to such a pitch, as to make no scruple of sacrificing to it the best interests of their country. The marquis of Granby, after stating and lamenting the disastrous effects of the war, expressed an ardent desire to seize the present moment, for laying the ground-work of a happy reconciliation: he therefore moved an amendment to the address, the substance of which was, 'to request that his majesty would adopt some measures for accommodating all differences with America; recommending a cessation of hostilities, as necessary for so desirable an end; with an assurance, that the commons were determined to co-operate with him in every measure tending to the re-establishment of peace.' This motion was seconded, with many arguments, by lord John Cavendish, and supported by the opposition generally on the following grounds:—after three years' war, an expenditure of fifteen millions of money, and the loss of many brave troops, we had no more prospect of bettering ourselves than when we began: notwithstanding the hopes of success yearly held out in the king's speeches, our progress exhibited an uninterrupted series of mortifying disappointments and humiliating losses; the state of

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¹² Lord North's Administration, p. 289.

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interest, of the stocks, and of real estates, as well as the gazettes, too plainly showed the degree in which our commerce had been affected; while the defenceless state of our coasts, and commercial fleets, demonstrated that if we were at present unable to protect our national trade, we should be still less able when involved in a war with the house of Bourbon; an event which might be considered as fast approaching. This then was the time to extricate ourselves from difficulties, by reversing that ruinous and absurd system of coercion, which had irritated the colonists, and strengthened the hands of our enemies, without bringing any profit to ourselves.

The address in the upper house, moved by earl Percy, caused an interesting debate, by calling up lord Chatham, who proposed an amendment, declaring that he would not join in congratulation on misfortune and disgrace: he said, the present was a perilous and tremendous period, not a time for adulation; and he pointed out the degraded situation to which the country was reduced, in being obliged to acknowledge as enemies those whom we had designated as rebels; in seeing them encouraged and assisted by France, while ministers dared not to interpose with dignity and effect. He then explicitly stated his repugnance to the independence of the colonists: he would warmly sanction the struggle of free and virtuous patriots against arbitrary exactions; but a claim of independence and disjunction from Great Britain he could not allow as an Englishman, or commend as a philanthropist: he concluded by recommending an immediate cessation of hostilities, and the commencement of a treaty to restore peace and liberty to America, strength and happiness to England, security and permanent prosperity to both countries. 'This, my lords,' said he, 'is yet in our power; and let not the wisdom and justice of your lordships neglect the happy, and perhaps the only opportunity.'

His lordship was ably supported by the other peers in opposition. In reply to some observations on the employment of Indians in this unhappy war, ministers

strenuously defended, not only its policy, but its justice: if the women and children of the colonists were destroyed by these savages, it was said, they only were to blame, who by their rebellion had brought on themselves such calamities. Lord Suffolk had the hardihood even to assert, that the measure was allowable on principle; inasmuch as it was justifiable to use all the means which God and nature had put into our hands. The whole of these arguments, particularly the last, roused the stern indignation of lord Chatham, who suddenly rose, and gave full expression to his feelings:—‘To send forth the merciless cannibals thirsting for blood! Against whom? Your protestant brethren! to lay waste their country, to desolate their dwellings, to extirpate their race and name by the aid and instrumentality of these hell-hounds of war! Spain can no longer boast pre-eminence in barbarity: she armed herself with blood-hounds to extirpate the wretched natives of Mexico; but we, more ruthless, let loose these dogs of war against our countrymen in America, endeared to us by every tie that should sanctify humanity. My lords, I solemnly call on your lordships, and on every order of men in the state, to stamp on this infamous procedure the indelible stigma of public abhorrence: more particularly I call on the holy prelates of religion to do away this iniquity: let them perform a lustration to purify their country from this deep and deadly sin. My lords, I am old and weak, and at present unable to say more; but my feelings and indignation were too strong to have said less: I could not have slept this night in my bed, nor reposed my head on my pillow, without giving this vent to my eternal abhorrence of such enormous and preposterous principles.’

It was not, however, in the power of eloquence to alter the determination of a cabinet, or the obstinacy of a monarch, who daily anticipated victories that would completely silence all opposition. When a division took place, twenty-eight lords only voted in support of the motion, against ninety-seven who opposed it.

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On the twenty-eighth of November the duke of Richmond moved for a committee of the house to inquire into the state of the nation; also for the production of a number of papers relative to the army, navy, and colonies; which were granted without opposition. On the same day, Mr. Fox made similar motions in the lower house, when that for a committee was carried unanimously; but lord North opposed a subsequent demand for papers, as liable to make discoveries prejudicial to the interests of the country. In the course of debates which followed, Mr. Burke vented some misapplied witticisms against lord North, whom he compared to Sancho Panza in the government of Barataria; while Mr. Fox, with happier effect, compared lord George Germaine to Dr. Sangrado. 'For two years,' said he, 'while a noble lord has presided over American affairs, the most violent scalping and tomahawk measures have been pursued: bleeding has been his only prescription. If a people, deprived of their ancient rights, are grown tumultuous, bleed them! If they are attacked with a spirit of insurrection, bleed them! If their fever should rise into rebellion, bleed them! cries this state physician: more blood! more blood! still more blood! When Dr. Sangrado had persevered in a similar practice, killing by the very means he had used for a cure, his man took the liberty to remonstrate against a practice that was beginning to bring their names into disrepute. The doctor answered, I believe we have indeed carried the matter a little too far; but you must know, I have written a book on the efficacy of this practice; therefore, if every patient we have should die by it, we must continue the bleeding for the credit of my book.'

Mr. Dunning contended strenuously for the production of the papers; and the attorney-general was beginning a reply to his arguments, when intelligence was circulated in a whisper, that they had been granted in the house of lords: even Mr. Thurlow was for a moment disconcerted; but he declared that whatever ministers might do, he, as a member of parliament,

would never vote for publishing the circumstances of a negotiation during its progress. Lord North, being somewhat irritated by a triumphant laugh among the opposition members, was bantered by colonel Barré on the unusual circumstance of losing his temper; and Mr. Fox declared, that the only argument against a compliance with his motion was invalidated by the resolution of the upper house: disclosures need not be dreaded, where no secret could be kept.

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The debate assumed a new complexion from a judicious and manly speech by governor Pownall: he thought all the papers in question unworthy of attention, so far as respected the subject of peace: even the act of parliament was of no avail on that point; for it did not empower government to treat with the Americans, except as subjects: hence the inefficacy of lord Howe's negotiations. Declaring himself as uninfluenced by party connexions as he had been nine years ago, when he predicted the precise progress of American resistance, he said,—‘I now tell this house and government, that the Americans will never return to their subjection: all sovereignty over them is abolished and gone for ever: the navigation act is annihilated: of what use then are these papers? of what import our debates? Disputation and abuse may afford amusement; but neither America nor England can be benefited by such discussions in the present crisis: until the house shall be disposed to treat with the United States as an independent sovereign people, schemes, or plans of conciliation, whoever may suggest them, will be found unimportant.’ The papers were ultimately refused.

On the twenty-sixth, attention was paid to the estimates: the number of seamen was fixed at 60,000, and the troops to be employed in America at 55,000: but these votes were not passed without severe strictures on the mode of conducting every branch of the service.

During a debate, on the third of December, colonel Barré asked the American secretary to tell him, on his honor, what was become of general Burgoyne and his

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brave army, and whether he had not received information, by express from Quebec, of their having surrendered to the enemy?

Lord George Germaine was now obliged to confess that he had received such information; but it was unauthenticated, and therefore he could not declare it officially: he hoped the house would suspend their judgment on the general as well as the minister: he was ready to submit his conduct in planning the expedition to investigation; if it appeared impotent and injurious, let the censure fall on him. Colonel Barré, having launched forth severe invectives against the cool and easy manner in which this secretary of state had related the fate of a brave officer with his army, was followed by Mr. James Luttrell, Mr. Burke, Mr. T. Townshend, and Mr. Fox. The solicitor-general endeavored to reconcile country gentlemen to the disastrous intelligence, by appealing to British magnanimity under distress, the certain harbinger of victory; while lord North declared that no man had, from the beginning, been more desirous of peace than himself: if the surrender of his place and honors could obtain it, he would cheerfully resign them: he had reluctantly accepted his situation; but while in possession, he would support it to the best of his power. On the fifth, the earl of Chatham moved, in the house of lords, 'that an address be presented to his majesty for copies of all orders and instructions issued to general Burgoyne relative to the late expedition from Canada.' Holding up a paper to the view of the house, his lordship said, that 'he had the king's speech in his hand, and a deep sense of the public calamity in his heart. That speech contained a most unfaithful picture of the state of public affairs: it had a specious outside; was full of hopes, while every thing within was full of danger. A system, destructive of all faith and confidence, had been introduced within the last fifteen years at St. James's, by which pliable men, not capable men, had been raised to the highest posts: a few obscure persons had obtained an ascendancy where no man ought to have a personal ascendancy; and by the

most insidious means the nation had been betrayed into a war, of which they now reaped the bitter fruits. The spirit of delusion had gone forth; ministers had imposed on the people; parliament had been induced to sanctify the imposition; a visionary phantom of revenue had been conjured up for the basest of purposes; but it was now for ever vanished.' His lordship observed, 'that the abilities of general Burgoyne were confessed, his personal bravery was not surpassed, his zeal in the service unquestionable: he had experienced no pestilence; nor suffered any of those accidents which sometimes supersede the wisest and most spirited exertions of human industry. What then is the cause of his misfortune?—want of wisdom in our councils, want of ability in our ministers. The plan of penetrating into the colonies from Canada, was a most wild, uncombined, and mad project; and the mode of carrying on the war was the most bloody, barbarous, and ferocious recorded in the annals of history: the arms of Britain had been sullied and tarnished by blending the scalping-knife and tomahawk with the sword and firelock: such a mode of warfare was a contamination, which all the waters of the Hudson and the Delaware would never wash away: it was impossible for America to forget or forgive so horrid an injury.'

In the course of this speech, he animadverted in severe terms on the language recently held by the archbishop of York. 'The pernicious doctrines advanced by that prelate were,' he said, 'the doctrines of Atterbury and Sacheverel: as a whig, he abjured and detested them; and he hoped he should yet see the day when they would be deemed libellous, and treated as such.' Though the motion was negatived, his lordship returned to the charge; and next moved an address to the king, 'that all orders and treaties relative to the employment of Indian savages be laid before the house:' but in no debate did this great man appear to less advantage. Lord Gower, rising to oppose the motion, asserted 'that the noble lord had himself employed, and acknowledged that he had

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employed, savages in the operations of the last war.' This charge lord Chatham peremptorily denied, reproaching lord Gower with petulance and misrepresentation. Indians, he confessed, had crept into the service during the last war; but their employment had never been sanctioned by him officially: he challenged ministers to produce any such instructions of his; and he called on lord Amherst, who had commanded in America at the time referred to, for a declaration of the truth. Lord Amherst, not being able to evade this appeal, reluctantly owned that Indians had been employed on both sides:—'The French employed them first,' he said, 'and we followed their example: but most certainly I should not have ventured to do so, if I had not received orders to that purpose.' Lord Denbigh was very severe on the noble earl, whom he called 'the great oracle with a short memory;' asserting that the returns of the army must have shown that the Indians were employed last war. Lord Shelburne made an ingenious attempt to extricate his friend from this apparent contradiction of his own orders, by suggesting that they were probably sent through the board of trade, not through the secretary's office: lord Chatham caught eagerly at the subterfuge: he was sure the order had not passed regularly through his office; nor would the humanity of his late majesty have sanctioned so satanic a measure; but the fallacy of this pretence was exposed by lord Suffolk, who observed that all instructions to governors and commanders in chief necessarily passed through the office of the secretary of state, and were countersigned by the king. Lord Townshend justified the measure both in the last and present war; and the earl of Dunmore, late governor of Virginia, declared that he himself had been attacked by a party of Indians, set on by the people of that colony. The debate continued till eleven o'clock at night, when lord Chatham's motion was disposed of by the previous question; the majority being forty to eighteen.

On the tenth of December royal assent was given to a bill for continuing the suspension of the habeas

corpus act in certain cases of piracy and treason: also to the land and malt-tax bills, those standing resources of government revenue; and after the discussion of some motions, made with a design of embarrassing ministers, an adjournment to the twentieth of January was proposed by lord Beauchamp: this was strongly objected to as highly improper at so critical a period; and Mr. Burke proposed an amendment, that the house should adjourn for a week. The reply of ministers was short: their ostensible reasons for the original motion were, that all business of importance was ended; no apprehensions were entertained of foreign powers; no material progress could be made at present in the field, or by negotiation; and the committee on the state of the nation, to which all important questions were to be referred, would not sit till February. In reality, they desired a breathing time, as a relief from the annoyance of business under the late distressing intelligence; they also required leisure to deliberate on the means of repairing losses abroad, and preparing themselves for those inquiries which had been agreed on by both houses of parliament. After a long debate, the proposed adjournment was carried by 155 against 68; and next day a similar motion, equally agitated in the house of lords, was carried by a majority of 47 to 17.

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During the recess, each party displayed an earnest desire to conciliate public opinion in its favor, and secure the success of its future schemes: but though for a time, a certain degree of despondency, produced by the intelligence from America,¹³ favored the views of opposition; yet the ministerial predictions, that the spirit of the nation would shake off all gloomy anticipations of the future, and rouse itself to activity, were soon verified. Public meetings of corporate bodies, towns, and counties, took this opportunity of displaying their attachment to the crown in the

Demonstration of
public
spirit in
England.

¹³ 'At this time,' says professor Smyth, 'interest of money rose; the stocks fell; and so did the value of real estates: the country gentlemen looked blank, and perceived that all was wrong; but not knowing how to set things right, they acquiesced in whatever was proposed to them; silently indeed, but they acquiesced.' —Lect. vol. ii. p. 423.

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strongest language: nor was this all; Manchester and Liverpool each raised a regiment of 1000 men; Edinburgh and Glasgow followed their example; independent companies were raised in Wales and the highlands of Scotland; and although the livery of London and corporation of Bristol, steady to their expressed opinions, refused to co-operate in such schemes, yet a large sum of money was raised in both places by subscription, for the public service, and a body of 15,000 men placed at the disposal of government. When parliament assembled after the recess, this mode of raising troops, without the concurrence or knowledge of the legislature, occasioned violent debates, being considered unconstitutional and dangerous to public liberty; neither was the plan thought consistent with economy, though calculated to serve certain influential persons, who were complimented with the appointment of officers to the newly-formed regiments: the purchase-money of their commissions, it was said, would greatly exceed the amount of the gratuities; and their full and half pay might have been spared to the nation by an offer of bounties to recruits entering into the old regiments.¹⁴

While the strenuous partisans of ministers thus supplied them with means for carrying on the war, people of different sentiments found another channel into which they could direct their bounty. Complaints had been made, and noticed in the house of lords, that American prisoners were treated with great cruelty in British prisons: the subject was investigated; and although it could not be shown that government authorized any wanton exercise of power in regard to food, fuel, or personal treatment, yet instances were discovered, in which the hardships arising from a slender allowance were still farther increased by the inhumanity of keepers. To relieve these distresses, a subscription was opened; and the prisoners were supplied with clothes, firing, bedding, and other necessaries, during the winter.¹⁵

Among the many subjects of disquiet and alarm

¹⁴ Lord North's Administration, p. 296.

¹⁵ Ibid.

which at this time must have forced themselves on the cabinet, was an evident inclination felt by other nations to take advantage of our distress: a rupture indeed with France and Spain was considered as certain; but apprehensions also were entertained of hostilities in the northern states, jealous of our naval superiority, and irritated by the code of maritime law which that superiority had enabled us to establish. To ward off such dangers and enable us to act with better effect against our revolted colonies, it was now determined to seek an alliance offensive and defensive with Russia, for which purpose Mr. James Harris, our cleverest diplomatist, was removed from the court of Berlin to that of St. Petersburg. In his instructions to this new envoy lord Suffolk plainly indicated the obstruction which negotiations were likely to receive from the rancorous enmity of Frederic the Great:¹⁶ but he could not foresee the extent to which it was carried; or the complicated intrigues of continental powers; or the rapacity, meanness, perfidy, and all other base passions which distinguished the potentates of this period. Mr. Harris soon found himself engaged in a fearful labyrinth of the most artful duplicity, where antipathy to the interests of Great Britain was the leading principle: both he and his employers at home long thought it possible to effect the object of his mission by diplomatic arts; in which as much money was spent as would have sufficed to equip a British fleet, that best of all diplomatists, while flattery and cajolery, profusely lavished on one side, were met by the meanest offers of compliance on the other; until it was at length discovered that the wishes and policy of the czarina, all lay in an opposite direction to that in which it was proposed to turn them. She had absurdly set her mind on ships, colonies, and commerce, as strongly as Napoleon did at a later period: her pride also had been deeply wounded by some insulting sarcasms uttered against

¹⁶ See the *Diary and Correspondence of the Earl of Malmesbury* (vol. i. p. 158); for which interesting and instructive work, the world is deeply indebted to his grandson the present earl.

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her on that subject by lord Hillsborough, our late secretary of state; but the grand object of Catharine was the seizure of Turkey and the occupation of Constantinople. This, the uppermost desire of her heart, was ever kept alive by her wily minister and earliest favorite Potemkin; nor did she fail to perceive that the nearest, if not the only way of obtaining it, was to engage the two powerful monarchies of France and England in a protracted war; while the perfidious Joseph of Austria was ready to aid her for a share of the spoil on the side of Servia; and the unprincipled Frederic was still grasping at the plunder of Poland, and would almost have sold his soul for the possession of Dantzic.

On the third of November the queen was safely delivered of a daughter, the princess Sophia. In this year the first duty was laid on goods sold by auction, as well as on inhabited houses.

CHAPTER XX.

GEORGE III. (CONTINUED).—1778.

Effect of general Burgoyne's surrender on the court of France—Count de Vergennes, and Marie Antoinette—First French envoy sent to North America—American affairs in Paris—Hints of conciliatory measures by lord North—Mr. Fox's speech in committee on the state of the nation—His motion rejected—Also that of the duke of Richmond—Mr. Burke's speech against the employment of Indians—Story of Miss Macrea—Governor Pownal's speech and humane proposal—Attempt of Mr. Fox to stop the sending of troops to America—Examination of evidence in the upper house—Lord North introduces his conciliatory bills—Debates on them—Intimation of the French treaty with America—Attempt to engage lord Chatham in the administration—Notification of the French treaty to parliament—Motion of an address thereon—Debates—Investigation of the state of the navy—Lord Sandwich severely attacked—Motion for excluding contractors from seats in parliament—Committee for the revision of the Irish trade laws—Opposition of the British merchants and manufacturers—Bill for the relief of Roman Catholics—Motion of censure on lord George Germaine—Duke of Richmond's motion in the house of lords, and last reply of lord Chatham—His death, &c.—Supplies, &c. for 1778—Parliament rises—King's speech—Admiral Rodney—Military affairs in America—Manner in which notice of the conciliatory bills was received—Notification of the French treaty—Unfortunate action under La Fayette—Sir Henry Clinton takes the supreme command of the British army—Conduct of the British commissioners, and of congress—Evacuation of Philadelphia by the British troops—March towards New York—Affair of general Lee—His disgrace—Arrival of a French fleet on the shores of America under count d'Estaing—The British fleet protected in the harbor of New York—Combined attack of French and Americans on Rhode Island—Its failure—D'Estaing's conduct meets with disapprobation—Operations of the British army in the provinces of New York and New Jersey—Attack of the savages on the settlement of Wyoming under colonel Butler—Americans take revenge—The French envoy received at Philadelphia—

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Instructions sent to Franklin—French deprived of their fishery at Newfoundland—The capture of Dominica; but lose St. Lucie—French plans regarding Canada counteracted by the prudence of Washington—Capture of Savannah by the British—Naval operations in the British channel—Affairs respecting admiral Keppel and sir Hugh Palliser—Domestic matters.

Hostile
intentions
of France.

THE capture of general Burgoyne's army determined France to assume that hostile attitude to which her secret intrigues in favor of the revolted Americans were all preparatory: Spain was not so ready to throw off the mask, but there was no doubt of her adhering to those plans which the elder branch of the house of Bourbon had adopted. It may seem repugnant to every maxim of true policy, that nations, which had foreign settlements of their own, and whose government at home was founded in despotism, and corrupted by abuses of every description, should teach a lesson and set an example which might so easily be turned against themselves: indeed it is surprising that a bare apprehension of that shock to the political system of Europe, which American success was sure to produce, did not deter the most ambitious statesmen from engaging in a transatlantic war: but pride and avarice, with a desire of wiping off the disgrace of the last contest, and securing exclusive benefits from American commerce, rendered the French ministers blind to consequences; while their king's natural indolence, and moderate abilities, threw the reins of government into the hands of that anti-pacific party, of which the queen was considered the head; and which thought the present a favorable opportunity of rising on the ruin of a detested rival. An appearance of neutrality, with secret aid given to the revolted colonists, had been long kept up; and an open declaration of hostility was still anxiously avoided: but the talent and spirit shown in Washington's last campaign, the capture of Burgoyne's army, and reports of some very conciliatory propositions about to be submitted by the British ministry to the colonists, obliged the French cabinet to throw off the mask earlier than they intended. It was well known that the Americans, notwithstanding their success at Sara-

toga, labored under such great distress from want of internal resources, while their trade was interrupted by the British cruisers, that in all probability they would be obliged to submit to terms, unless foreign aid could be obtained: by strongly insisting on these topics, Dr. Franklin at length gave a decisive turn to the counsels of Versailles; and a treaty was signed on the sixth of February, though not publicly avowed, nor perhaps definitively arranged in all its terms: but the complete independence of the United States was acknowledged. The great friend of the Americans in this business was the count de Vergennes; on whose shoulders congress threw the chief burden of its foreign affairs, and of many troubles at home connected with them: for it was a standing instruction that American agents abroad were to seek advice from the French court; so that the calls on the time and attention of this minister were incessant: and when we consider the novel situation of France with respect to England, the negotiations for loans and subsidies, the disbursement of supplies, the fitting out of armed vessels for America in French ports, the discontent of French officers serving in the United States, the clamors of neutral and belligerent powers, with numerous other vexations, which successively harassed the count de Vergennes, we are astonished that even the acknowledged patience and good temper of that statesman could sustain his policy: nothing, indeed, enabled him to act but the gratified animosity of the French people, and the decisive support which he received from the queen. This attachment of the unfortunate Marie Antoinette to the revolutionary cause is generally confessed by American writers;¹ and is supposed to have arisen chiefly from the impulse of family pride, or affection, inducing her to exert all her influence to involve France in a foreign contest, and thus prevent its opposition to the unjust and ambitious schemes of the Austrian court regarding the Bavarian succession.²

¹ See North American Review, vol. xxxiii. p. 471.

² The elector of Bavaria, having died without issue, December 30, 1777, was

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Not long after the treaty between France and America had been signed, Mr. Silas Deane returned to the United States with M. Gerard, the first French envoy appointed to that country. Mr. John Adams was Mr. Deane's successor at Paris, where the principal business of the commissioners consisted in sending out military supplies, in fitting out privateers, effecting the sale of prizes, adjudicating contested cases, and performing the duties usually discharged by consuls and mercantile agents. This was less difficult now than before the treaty, since there was less reason for concealment and disguise; particularly when lord Stormont quitted Paris, and his spies disappeared. The French government immediately granted to congress a loan of 3,000,000 livres, which afforded an important temporary relief, and enabled the commissioners to meet the draughts which came on them rather heavily from home.³

Hints thrown out by lord North in the British parliament, during the debate on the question of adjournment, made it evident that ministers had turned their thoughts to some new scheme of conciliation with the colonists; though they felt the necessity of making such preparations for the ensuing campaign as would enable them to treat with dignity, and assert the sovereign rights of Great Britain with success: the utter hopelessness however of all reconciliation on the only ground which the Americans would accept, namely, that of independence, was well known to lord North from his private correspondence with the king. As early as January, this year, there are symptoms of

succeeded in his dominions at large by his heir, the elector palatine: he had scarcely however entered his new capital of Munich, when the Austrian troops poured from all sides into lower Bavaria, and seized every place to which they came; another strong body advanced to the upper Palatinate; and a third army of 60,000 men were prepared, ready to follow up success. No alternative remained for the elector, but to lose the whole of his dominions, or resign the better half of them to violence and injustice; which latter course he took: such a flagrant attack, however, on the rights of succession, such a dismemberment of two great electorates, alarmed the princes of the empire, and rendered an appeal to the sword necessary. After a year's war with Prussia and other members of the Germanic body, the emperor was obliged to relinquish the districts he had so unjustly seized, retaining only the frontier territory appertaining to the regency of Burghausen, which was ceded to the house of Austria, as an equivalent for her formal renunciation of all her old and vexatious claims.

³ North American Review, vol. xxi. p. 486.

his lordship's having hinted at some offer of peace; for the king observes, 'nothing short of independency will be accepted; and I do not think there is a man bold or mad enough to treat for the mother country on such a basis. Perhaps the time may come, when it will be wise to abandon all America but Canada, Nova Scotia, and the Floridas; but then the generality of the nation must see it first in that light: to treat with independents can never be possible.' When parliament met, on the twenty-second of January, the levying of troops by private subscription claimed its earliest attention; but, though the debates on this point were frequently renewed with unusual heat, the opposition were foiled in all attempts to obtain a vote of censure: yet it is a singular fact, that lord North was at this time so adverse to a continuation of the contest, that he had actually expressed a wish to the king to resign his office. This appears from a letter addressed by his majesty to that minister, on the 31st of January; in which, after appealing to lord North's personal affection for him, and his sense of honor, he goes on to say, 'You must remember that before the recess I strongly advised you not to bind yourself to bring forward any plan for restoring tranquillity to America; *not from any absurd ideas of unconditional submission, which my mind never harbored*; but from foreseeing that whatever can be proposed, will be liable, not to bring America back to her attachment, but to dissatisfy this country, which so cheerfully and handsomely carries on the contest, and has a right to have the struggle continued, till convinced that it is vain. Perhaps this is the minute when you ought to be least in a hurry to produce a plan, from the probability of a declaration of war from France.' It is manifest from this letter that lord North had proposed some scheme of conciliation unpalatable to the king; and it may be reasonably inferred, from the passage in *Italies*, that his lordship, in expressing a wish to retire, had urged the impracticability of obtaining *unconditional submission*, which he knew to be the king's determined object. Yet, when it appeared that war

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with France had become inevitable, his majesty, in a letter dated February 9th, expresses a desire that before 'the veil was drawn off by the court of France,' lord North should 'not delay to bring in his proposition.'⁴

In both houses intense interest was excited by the approaching debates in committee on the state of the nation. On the second of February, Mr. Fox opened the business in the commons, entreating them to divest themselves of former opinions, favorite ideas, and long-cherished prejudices, and to abide by the fair result of the present inquiry: he recommended an oblivion of all enmity towards America; and he laid it down as an axiom, that when any country falls in a short period from the highest summit of power, there must have been some radical fault in its government; though such fault may be no proof of ministerial criminality.

He then took an historical review of proceedings relative to the colonists since 1774, and exposed the error of ministers in mistaking a single province for a continent, the state of Massachusetts-bay for the American empire. Virginia, a colony no less tenacious of its rights, was totally forgotten; and a union of the provinces was deemed impossible; but whoever should contend against ten, when prepared for only one antagonist, must encounter greater difficulties, than if aware at first of the resisting force. After observing, that every attempt to crush insurrection by inadequate means, fomented instead of suppressing it, he went on to show how England had erred in this respect: on the events of the last campaign he forbore to touch, as they demanded a separate investigation. From the papers before the house, he contended, that to send more troops out of this country would be highly imprudent; the conduct of France, the state of public credit, his majesty's speech, all sufficiently proved the necessity of preparing for an European war: it was time therefore to contemplate the domestic

⁴ Extracts from the Letters of George III. and lord North communicated by lord Holland to Mr. Jared Sparks, for his 'Life of Washington.'

situation of the country, and not leave it defenceless, for the purpose of protracting a contest that was impracticable; a contest, in which so much treasure had been expended, and so many lives lost. He therefore moved that no more troops from the old corps should be sent out of the kingdom. No answer was made to Mr. Fox's speech; but his motion was rejected by 259 to 165.

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The duke of Richmond, pursuing the same line of argument in the upper house, founded on it a motion somewhat similar: but this also was rejected, as amounting to a public acknowledgement by Great Britain of her inability to prosecute the war, and assert her rights over the colonies; as inviting the house of Bourbon to attempt an invasion; and as attacking the inherent prerogative of the crown, to raise, direct, and employ the military force of the kingdom.

During the next sitting of the committee, Mr. Burke moved for papers relative to the employment of Indians in America, from 1774 to 1778; in support of which motion he made a speech three hours in length; which, though very inadequately reported, is considered as one of the most splendid specimens of his oratorical talents. Governor Johnstone declared that he rejoiced in the exclusion of strangers;⁵ for had they heard it, their indignation and enthusiasm would have impelled them to tear in pieces the two ministerial lords, North and Germaine. In this harangue, Mr. Burke dwelt chiefly on the Indian mode of warfare, which was so horrible as to exceed the ferocity of all barbarians recorded in history. He ludicrously analysed general Burgoyne's speech to these savages; not decrying its sentiments, but only the application of them to wretches as little likely to be moved by them as the wild beasts of the forest. He showed, by details of Burgoyne's and St. Leger's expeditions, that the Indians indiscriminately murdered men, women, and children, friends and foes; nay, that the greatest slaughter often fell on those who were best affected to our government,

⁵ An order to this effect had been made in the house of commons.

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Story
of Miss
Macrea.

and had been disarmed by the revolutionists. He painted in vivid colors the story of Miss Macrea, whose fate was very remarkable, and created a violent animosity against the British army.

The father of this unfortunate young woman was strongly attached to the royal cause; and she herself was to have been married, the very day on which she was killed, to an officer in general Burgoyne's army; but, on her way to meet her lover, she was murdered by two Indian chiefs sent for her protection. A deed so atrocious called forth general indignation: a correspondence between the British and American commanders ensued on the subject, and the former was much reflected on in consequence of this cruel deed: the excuse he made was, that the two chiefs having disputed which of them should be her principal guard, and obtain a larger reward; he, from whose hands she was snatched, cleaved her head, in a fit of rage, with his tomahawk. As the murderer was not put to death, it was thought, either that these savage allies were too powerful, or their services too highly valued, to run the risk of offending them: the real cause, however, of pardon being extended to the offender, was an agreement made by his tribe with the British general, to abstain for the future from indulging in such wanton cruelties: this he considered of more consequence, than to take revenge on a wretch, who scarcely knew that he had committed an evil act.

Humane
proposal
of governor
Pownal.

The arguments of Mr. Burke were strenuously supported by governor Pownal; who declared that there was not so unfair, so hellish an engine of war, as savages mingled with civilised troops. After forcibly illustrating his position, that benevolent man proposed, as a mode of abolishing such an atrocious mode of warfare, that the two countries should mutually agree to break off all alliance with these blood-hounds, and treat them as enemies whenever they should commit any act of hostility against a white person, American or European. If government, he said, would propose the terms of such an agreement, he would answer for it that congress would embrace

and execute them with good faith: the very overture might occasion the happiest effects, in producing mutual kind offices, and leading ultimately to a perfect reconciliation: besides, he offered to go in person, without pay or hope of reward, and make the proposal to congress; and he would answer with his life for the success of the negotiation. It is pleasing to record such an instance of genuine philanthropy in any individual: but very different feelings are excited by the ministerial rejection of Mr. Burke's motion, and of governor Pownall's auxiliary proposition.

Another effort was made, on the eleventh of February, by Mr. Fox, to effect those regulations and restraints of military exertion, which seemed to be one of the chief objects of opposition in obtaining the committee. He showed that, in all the reinforcements sent to America since 1774, we had lost 20,000 men; and he concluded, that if with so vast a force so little had been accomplished, it was useless to prosecute the war: this statement of loss was represented by the friends of government as greatly overrated, and the resolution was evaded by a motion for leave to report progress.

The committee of the lords was employed in examining evidence: merchants were called as witnesses, by the opposition peers, who proved that great losses had resulted to their commercial concerns from the war; whilst others, on the side of government, showed, not only that considerable captures had been made, but that new and profitable sources of commerce had been opened since the commencement of hostilities. The duke of Richmond resisted the arguments drawn from this testimony: the prizes taken and distributed to British seamen, far from being a balance in our favor, added to our loss; for if we had not been at war with America, the value of all these cargoes, in the circuitous course of trade, must have centred in Great Britain. The propositions were disposed of, as in the lower house, by the previous question: other motions, also made by the duke of Richmond, for ascertaining the number of troops sent to America, as well as the

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Lord
North's
concilia-
tory bills.

expenses incurred by the war, occasioned long discussion, to no purpose.

On the seventeenth of February lord North brought into the house of commons two bills tending to reconciliation with the colonists; the first being expressly designed to remove from their minds all apprehensions concerning taxation by the British parliament; whilst it repealed the act which imposed a duty on tea: the second enabling his majesty to appoint commissioners to consult and agree on means of quieting the disorders which existed in certain colonies of North America. These commissioners were endowed with very extensive powers, and were authorised to treat with congress, as if it were a legal body; with any of the provincial assemblies; with general Washington; or with any other individual in a civil capacity or military command: they had power to order a suspension of arms; to prohibit the operation of all laws; to grant pardons, immunities, and rewards of all kinds; to restore all or any of the colonies to the form of their ancient constitution; and, wherever the king nominated the governor and other public officers, to appoint such at their discretion, until his majesty's pleasure could be known. It had been objected to the former commissioners, that their powers were deficient: this act therefore declared that, should the Americans even make a claim of independence at the outset of the treaty, they would not be required to renounce it until the treaty was ratified by the British legislature: a reasonable and moderate contribution toward the common defence of the empire, when re-united, was to be the object of negotiation; but not to be insisted on as indispensable.

These concessions were much more ample than those brought forward by lord Chatham and Mr. Burke, which were at the time unhappily rejected: expressions of disapprobation were heard from the tory party in the house; and some of the country gentlemen loudly complained of the deception practised against them relative to American taxation. On the other hand,

lord North's propositions were generally approved by the opposition; though many members strenuously contended that they would be inefficient at the present moment: as however there was something like a chance, they would not obstruct a plan which had conciliation for its object. Mr. Fox, in particular, was very severe on his lordship; 'whose arguments,' he said, 'might be collected into one point, and his excuses comprised in one apology, or rather in one word, *ignorance*; a palpable and total ignorance of America: he had expected much, and had been disappointed in every thing: necessity alone had compelled him now to speak out.' He also accused the minister, with added threats of condign punishment, of adjourning parliament, in order to propose terms of pacification; though he neglected the business until France had concluded a treaty with the independent states of America. He assured the house, that he had it from unquestionable authority, that such a treaty had been signed at Paris; and he called on the minister to afford them satisfaction on so important a point. Mr. Grenville concurred in demanding an answer; averring that he had received information of very offensive language held by the court of France, and the march of troops from its interior provinces.

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Lord North reluctantly acknowledged that such a treaty was in agitation; though, as it was not authenticated by our ambassador, he had no authority to pronounce absolutely that it was concluded.

Prepared by debates in the lower house, opposition lords embarrassed the progress of the conciliatory bills with numerous objections. The duke of Richmond read the American declaration, paragraph by paragraph, and tauntingly asked ministers whether they meant to subscribe to assertions such as these:—'that the king is a tyrant,'—that his majesty has lost the affection of his American subjects by the insolent, daring, perfidious, and unconstitutional language of ministers,' &c.? These bills, far from regaining America, would sound the trumpet of war to all nations: they were at once ignominious and ineffectual: they

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meant nothing, or worse than nothing: they were better calculated to divide than to conciliate: they empowered commissioners to treat with America, and then called them back to Europe to consult parliament. Why not renounce at once the right of taxation reserved in the declaratory act? Why not, instead of arming commissioners with powers, not to be regulated, and of course not properly exercised, repeal all obnoxious acts at once? Such conduct would evince sincerity.

Lord Temple expressed his indignation and contempt at the measure. America had aimed at independence from the first: ministers had raised the spirit of the nation by new levies, and now diminished it by disgracefully prostrating the country, parliament, and people, at the feet of Franklin and Deane; to whom they paid homage in sackcloth and ashes.

Lord Shelburne also opposed the bills, as tending to separate the two countries; for he never would consent that America should be independent of England: his idea of our connexion was, that we should have one friend, one enemy, one purse, and one sword; England superintending the whole, as the great controlling power: this might have been procured not long since, and perhaps even now, without the shedding of blood. In the course of the debate, the duke of Grafton put the same question to ministers, regarding France, which Mr. Fox had propounded in the lower house; when lord Weymouth answered, 'that he knew nothing of any such treaty: he had received no authentic information of its being in existence or contemplation.'

The bills passed without a division; but with a protest from lord Abingdon, embodying the principal objections urged in the debate.

At such a crisis, good policy required that an attempt should be made to secure the assistance of the great war minister, so idolised for his success in a former emergency, and so revered by the Americans for his firm, but conciliatory conduct toward them: overtures were accordingly made to lord Chatham; not inviting him to arrange a new cabinet, but merely to

join that of lord North: for although he had recently declared against American independence, the king positively objected to his assistance in forming a new administration. 'Should he wish to see me,' says his majesty, 'before he gives his answer, I shall certainly refuse it.' At this period his majesty's correspondence with lord North is full of protestations against coalitions and changes of ministry, so vehement and frequent, as to prove that his lordship had pressed them earnestly and repeatedly on his notice: 'he would run any *personal* risk rather than submit to the opposition; and is grieved at lord North's recurring to this painful subject;' 'he would sooner hazard his crown than do what is disgraceful: if the nation will not stand by him, they shall have another king; for he will never put his hand to what will make him miserable to the last hour of his life: to give lord North ease, he will accept the services of these desperate men in his ministry; but rather than be shackled by them he would lose his crown.' On the twenty-second of March he asks his lordship this plain question: 'Is he resolved at the hour of danger to desert his sovereign?' and next day expresses himself satisfied with the premier's answer; observing, 'that he always thought his lordship's sense of honor would prevent him from deserting;' yet two letters, dated on the twenty-ninth and thirtieth of the same month, intimate that lord North had declined continuing minister, farther than to close the session, or than it might be necessary to make new arrangements; and the king insists on lord Thurlow being immediately made chancellor. In May, however, his majesty earnestly pressed his lordship's continuance in office, and prevailed; but the latter, during this and the following month, reverted to his expressed intentions, and was answered by the king with many remonstrances, and a considerable degree of irritability.⁶

The conciliatory bills had scarcely received the royal assent, when lord North delivered a message from his majesty to the commons, and lord Weymouth

⁶ From Mr. Jared Sparks's 'Extracts,' &c.

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to the upper house, informing them that 'a rescript had been delivered by the French ambassador, avowing that a treaty of amity, commerce, and alliance had been recently concluded with the United States of America, which, it is said, are in full possession of independence: that it stipulates for no exclusive advantages in favor of the French nation; but professes a constant and sincere disposition for peace with Great Britain; and declares that his most christian majesty will protect effectually the lawful commerce of his subjects, and maintain the dignity of his flag. In consequence of this offensive communication, the British ambassador had been instructed to withdraw from Paris; and the king relied on the zeal and affectionate spirit of his people to repel insult, and maintain the national honor.'

In discussing the motion for an address, an amendment was proposed, requesting the king to dismiss his ministers: lord North was reproached for culpable neglect of the means of information and defence: he had suffered himself to be surprised by the notification of a treaty which appeared to have been two years under discussion; and, on the eve of war, the country was destitute of adequate means for its internal security.

Governor Pownal, without intending to vindicate ministers, detailed the circumstances and progress of the treaty; which, he said, had not existed in idea six months, nor been in actual negotiation more than three: he afterwards observed that peace with America was still practicable, if Great Britain would pursue the proper course. 'The Americans,' he contended, 'are, and must be, independent: we acknowledge it in our acts; and have already, though we may try to cover our shame with words, resigned all dominion over them: they will never rescind their declaration; but if parliament will extend the powers of the commissioners so far as to acknowledge their independence, on conditions, they will, in return, form with us a federal treaty, offensive, defensive, and commercial. The compact, signed at Paris, is not yet ratified by

congress: with speedy and candid exertions, this country may still be enabled to take advantage of the natural predilection of the colonists for their parent state: if a federal treaty were not adopted, and the Americans should ever be induced to treat on other terms, one of their first demands must be a reimbursement of expenses, and an indemnification for losses: a pecuniary remuneration was out of the question; but in lieu of it, government must sacrifice Canada, Nova Scotia, and the Newfoundland fishery: this he knew would be insisted on; but if independence were conceded, America could only treat with us on the same ground as any other independent nation. He did not think our force insufficient to resist the new enemy: it was indifferent to him who were ministers; but he coincided with all the feelings of resentment indicated in the address.'

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General Conway supported these principles; declaring that he had seen a letter from Dr. Franklin, written since the treaties had been signed, and offering peace, if Great Britain would forego her claims to supremacy: Mr. Dundas also thought it would be better policy to form a federal union, than to lose America, and let her fall into the hands of France. Many times during the debate the name of lord Chatham was brought up, as the only statesman capable of rescuing the vessel of the state in these trying circumstances; but lord North, after expressing, as on a former occasion, a total disregard to office, declared that the interest of the empire, no less than his own reputation, demanded that he should remain at the helm. The original address was carried by 263 to 113. In the upper house the debate was chiefly maintained by the parties in opposition; one of which was desirous to preserve America at all events by the full grant of independence; while the other considered, not only that the indignities offered by the colonists to their parent state justified immediate hostilities, but that the loss of America would put an end to the prosperity of Great Britain. The address was carried by a large majority; and another,

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Investigation of the
state of the
navy.

in answer to a message for calling out the militia, was passed without division or debate.

The very important subject of the navy, which had been severely scrutinised in the committee of supply, now attracted more particular attention. Whoever has read the authentic memoirs and correspondence of eminent men⁷ about this period, will have felt that there was too much justice in the charges brought against administration for neglecting that great bulwark of British power: the blame, however, in this case must be divided: it attaches itself no less to the prime minister, who so soon forgot the use which lord Chatham had made of that grand instrument of war, than to lord Sandwich, whose inattention to the duties of his department, and deference to parliamentary influence, allowed our ships to fall into decay, and to be commanded by officers almost unacquainted with the rudiments of their profession. These charges were as easily evaded, as denied, in that corrupt parliament which was now assembled under the auspices of lord North: the truth of them however will become evident as we proceed.

An account of the ships in the British navy having been submitted to the committee, Mr. Fox, on the eleventh of March, submitted a motion to the house, that this force was inadequate to the defence of the country: Mr. Temple Luttrell followed, and exposed in detail the bad condition of our ships, the neglect of supplies, and the deplorable state of the service in all its departments; nothing being clearer than its inefficiency for the protection of the realm, except the prostitution, mismanagement, and atrocious criminality of those ministers who had so long deluded their sovereign. No regular answer was returned to these statements, as the king's message respecting France was then in preparation.

In the house of lords the subject was taken up by the duke of Bolton, who moved that the surveyor of the navy should be examined; but lord Sandwich

⁷ See particularly the interesting Life of Lord Rodney, by major-general Mundy.

resisted this proposal, as tending to injure the country by improper disclosures, and the motion was negatived. Lord Radnor observed, that the house treated the first lord of the admiralty with much more respect than their ancestors had treated the husband of a queen of England.

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On the thirty-first of March lord Effingham returned to the charge on this disgraceful subject, accusing lord Sandwich of gross mismanagement, and moving a series of propositions, for disclosing the affairs of the navy during the last eight years, with the ordinary estimates, and list of ships built, repaired, and broken up. Lord Sandwich made on this occasion a long defence; and, comparing the present state of the navy with its condition in 1727, drew deductions highly favorable to his own administration; a sure sign that there was something wrong in his conduct. In the course of debate, many collateral topics were introduced; as the mismanagement of Greenwich-hospital, improvidence in the formation of contracts, speculation in the dock-yards; and the first lord of the admiralty was told to beware of popular vengeance, or the punishment of De Witt, who was torn limb from limb by the multitude. The debate became very tumultuous, and the motions were all negatived: so great, however, was public dissatisfaction at the direction of naval affairs about this time, that many distinguished officers of the highest rank sent in their resignation; and so general was the dislike to the service, that twenty captains proposed to resign their commissions at once, and were stopped only by the necessity which existed for their exertions.

Previously to the above discussion, the attention of parliament had been called by lord Effingham, in the upper house, to a scandalous neglect of economy in the transport service; and colonel Barré, in the commons, moved for a select committee to inspect the public accounts; charging the minister with gross negligence and ignorance in making contracts, and with not understanding the difference between currency and sterling: he also accused the house of

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Lord North was led by such accusations to explain himself with some warmth, and to consent that a committee should be appointed: a report was accordingly presented to the house, but at too late a period for consideration. Sir Philip Jennings Clarke took advantage of these discussions to propose a bill for excluding contractors from parliament, unless their contracts were obtained by a public bidding: during the debate, many violent reflections were made on the characters and gains of government contractors; and the fanatical lord George Gordon, soon about to become so notorious, designated the minister as the worst of all contractors; a contractor for men, a contractor for parliamentary flocks, a contractor for the representatives of the people; advising him to save his country, and rescue his own life from popular vengeance, by calling away his butchers and ravagers from the colonies, before the king's troops were totally defeated. The bill, of course, was lost; as also was one proposed by Mr. Gilbert, to tax, during the war, all salaries, fees, and pensions issuing out of the exchequer or any other branch of his majesty's revenues.

Revision of
the trade
in Ireland.

In the beginning of April, a committee of the house of commons was formed for revising the trade laws relating to Ireland, which country had suffered much by the American war; a stop having been put to the exportation of manufactures, and a large body of the people deprived of employment. This decrease of trade was the more severely felt in consequence of heavy additions recently made to the civil establishment by an increase of pensions, and other burdensome appointments. Lord Nugent, with whom the measure originated, declared that the Irish people were, from their unshaken loyalty, entitled to the encouragement of a wise and grateful government: hitherto, indeed, oppressive laws had been their sole reward; but neither he nor his countrymen meant to offer complaints: they saw Great Britain distressed: their resentment was hushed; and, forgetful of their wrongs, they made an

unsolicited offer of their fortunes and lives. From a view of the laws which bore particularly hard on the Irish, he had drawn up a few resolutions, which he trusted the committee would adopt: his motion now was, that they might send on board British vessels, to the coast of Africa, and other foreign settlements, all home manufactures, with the exception of wool and woollen cloth: this was agreed to without a division; and other resolutions were subsequently adopted,—that a direct importation be allowed on all goods, wares, and merchandise, being the produce of British plantations, except tobacco; that the direct exportation of glass, manufactured in Ireland, be permitted to all places except Great Britain; that the importation of Irish cotton yarn be allowed in Great Britain free of duty; as also the importation of sail-cloth and cordage.

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These apparent innovations greatly alarmed the merchants of Bristol and Liverpool, as well as manufacturers in the counties of Lancashire and Nottingham: during the Easter recess a formidable opposition was got up in those quarters; and numerous members of parliament were strongly urged to oppose the admission of Irishmen to a participation in the rights of British subjects: petitions also flowed in from all parts of the kingdom, and from various classes of manufacturers. The first which engaged the attention of the house was from those of Somersetshire, against the importation of sail-cloth: on this, Mr. Burke, who had moved for leave to bring in the bill, declared that he had committed an error; for he had since discovered that a law for this very purpose was in existence. If the bill, he observed, was to produce all the consequences stated by the petitioners, why did they not complain when they were first hurt? from this he inferred that the jealousy entertained of the other bills was equally ill-founded, and originated only in prejudice and selfishness: against the arguments of their opponents, he said, they only restored what the wisdom of parliament had on a former occasion granted to Ireland. He then ably refuted the principle that

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Ireland could not be indulged in a free trade without becoming an injurious rival to Great Britain: the one country never could vie with the other in manufactures; which he showed from various sources, and especially from the bill for free importation of woollen yarn into England, which had been opposed by numberless petitions, yet by experience had been found beneficial. It was absurd to think that a participation of manufacture would be detrimental: the woollen manufacture had been planted in different parts of the kingdom; yet competition had promoted the trade. He lamented that in this instance his conscience impelled him to oppose the wishes, though not the interests, of his constituents at Bristol: if they rejected him on this account, he should not blame them; the example would at all events be useful, of a senator adhering to his opinion against interest and popularity; and of constituents exercising their undoubted right of rejection, not on corrupt motives, but from a persuasion that he whom they had chosen had acted against the judgment and interests of those whom he represented.⁸ Although both sides of the house seemed disposed to approve these bills, the clamor of interested persons bore down the sense of the legislature, and effected a sort of compromise; most of the advantages proposed for Ireland were abandoned; yet some enlargement was afforded to the linen trade, and some openings made in the African and West Indian commerce: the way also became clearer for future concessions.

Bill for the
relief of
Roman
catholics.

On the fourteenth of May, sir George Savile, excited by zeal for the honor of protestantism, which he thought disgraced by the act of 1699, and by his rooted hatred of all kind of oppression, brought a bill into the house of commons to repeal the act of William III. entitled 'an act for preventing the farther growth of popery;' which, to the many pains and penalties before established, added a prohibition against popish priests officiating in their religious services;

⁸ These apprehensions of Mr. Burke were verified at the general election in 1780.

foreigners so offending being rendered guilty of felony, and natives of high treason. By it, popish heirs, educated in foreign countries, incurred the forfeiture of their property, which descended to the next protestant heir: a son, being a protestant, was empowered to dispossess his father, being a papist, of his estate; and members of the Romish communion were incapacitated from purchasing land.

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The propriety of granting relief to a body of men who acted conscientiously, appeared so manifest to the house, that the motion, which was seconded by Mr. Dunning, and supported by Mr. Thurlow and lord Beauchamp, passed without a dissentient voice: the bill was but slightly opposed in the upper house; and it is well known that the highest character in the realm sincerely rejoiced in this opportunity of releasing a portion of his faithful subjects from oppressive laws and restrictions, as far as he thought compatible with the safety of the state: thus the subjects of Great Britain professing the Romish creed were permitted to perform their religious rites, and were rendered capable of inheriting or purchasing real estates, on subscribing an oath of allegiance to the king, and solemnly disclaiming the doctrine of the pope's authority over this realm, or his power of absolving its people from their obligations to the government by law established. It was one of the greatest glories of the reign of George III., that the dawn of religious freedom rose under his auspices.

On the 19th of March, Mr. Fox moved two propositions in the house, without success, for censuring lord George Germaine on the subject of general Burgoyne's disaster. This officer, by favor of congress, was permitted to return to England on his parole; but a court of inquiry pronounced its authority incompetent to an adjudication of his case under these circumstances. Having demanded an audience of the king, he was refused, on the ground of established etiquette: but before the end of the session he obtained a partial opportunity of vindicating his conduct; for a motion was made, on the 26th of May, for a com-

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mittee to consider the transactions of the northern army, the convention at Saratoga, and the means by which the general obtained his release. He vindicated his conduct at great length; but the reply of lord George Germaine was short; and he concluded with observing, that, as military men were the proper judges, he did not see the propriety of parliamentary interference: the motion therefore was rejected; but in the course of debate Mr. Temple Luttrell made a very insulting comparison between lord George Germaine's backwardness in the battle of Minden, and general Burgoyne's zealous, though unsuccessful courage in the late enterprise: nor did he spare his lordship on the sentence of the court-martial, and his subsequent disgrace by George II.

Lord George, in reply, observed, that he never indulged in personalities, nor by his conduct merited such an attack:⁹ much as he despised the honorable member, he would place himself for once on a level with his wretched character and malice; old as he was, he would meet that fighting gentleman, and be revenged. The house called to order: the speaker reprimanded both members, and insisted on their promise that the affair should proceed no farther: lord George apologised for his warmth; and Mr. Luttrell, after much reluctance, acknowledged his error, declaring that he meant his reflections as public matter, and that they were not to be referred to private abuse or enmity. In the sequel, general Burgoyne was ordered to rejoin his army in America; but with this injunction, though coming from the highest authority, he refused to comply: accordingly, he was divested of every post and office which he held under government.

Lord Chat-
ham's last
appear-
ance in the
house of
lords.

On the seventh of April, the committee on the state of the nation was brought to a close in the house of lords, by a motion of the duke of Richmond for an address to the king, beseeching his majesty to recognise the independence of America, in withdrawing all his

⁹ It is now generally acknowledged that lord George Sackville's backwardness at Minden arose not from want of courage, but from a dislike to what he thought arrogance in his commander, prince Ferdinand.

forces from that country; and to dismiss his present ministers. As the discussion was expected to take place that day, lord Chatham, struggling for a temporary victory over disease, determined to make his appearance in the house. In the early part of our dispute with the colonies, his voice had been eloquently and energetically raised to preserve peace, by what he considered just and conciliatory measures; but the independence of America never entered into his thoughts and calculation; though he had repeatedly declared that we could not subdue her by force of arms. He had made these declarations too, when America stood alone in the contest; yet now he recommended a strenuous prosecution of the war, though she was aided by the power of France. This inconsistency, however, may readily be accounted for. Any design to dismember the British empire, which this great war-minister had raised to so high a rank among the nations, seemed to him not only a national degradation, but a personal outrage on himself; while the thought that such dismemberment should be produced by the interference of foreign powers, whom he had humbled to the dust, was perfectly insupportable. Against all the remonstrances, therefore, of his medical attendants, he set out with his son William, and lord Mahon, his son-in-law, for Westminster; and arriving at the house of lords, he entered as the debate commenced, supported by his two youthful companions. As he thus advanced in the garb and languor of sickness, the fire of his eye mitigated but not quenched, and the dignity of his commanding figure abated but not destroyed, all the peers, impressed by a sentiment of veneration, rose up, and continued standing while he passed to his seat. After lord Weymouth had made a very animated reply to the motion, lord Chatham, rising from his place slowly and with difficulty, began by lamenting that his infirmities had so long, and at so important a crisis, kept him from his parliamentary duties: he declared that he had made an effort almost beyond the powers of his constitution; and had come down to the house this day, probably the last time he should enter its

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walls, to express the indignation he felt at the humiliating proposal of yielding up the sovereignty of America. A reverential awe and silence pervaded the house, while this great man delivered his sentiments: at first, he spoke in a low and feeble tone; but, as he grew warm, his voice acquired more power and harmony; and the charms of eloquence flowing again from his tongue were rendered doubly affecting by his own situation and the importance of the topic. He entered into a full detail of the American war, dilating on all the measures which he had opposed, and evils which he had predicted; adding, at the end of each, 'and so it proved.' 'My lords,' he continued, 'I rejoice that the grave has not closed on me; that I am still alive to lift up my voice against the dismemberment of our ancient and noble monarchy. Pressed down as I am by a load of infirmities, I am little able to serve my country in this most perilous conjuncture; but, while I have sense and memory, I will never consent to deprive the royal offspring of the house of Brunswick, the heirs of the princess Sophia, of their fairest inheritance; or to tarnish the lustre of our nation by an ignominious surrender of its rights and possessions. Shall this great kingdom, which has survived, whole and intire, Danish depredations, Scottish inroads, the Norman conquest, and the threatened invasion of a Spanish armada, now fall prostrate before the house of Bourbon? Shall a people, seventeen years ago the terror of the world, now stoop so low as tell its ancient and inveterate enemy—Take all we have, only give us peace? It is impossible! I wage war with no man, or set of men: I wish for none of their employments: nor would I co-operate with those who persist in unretracted error; or who, instead of acting on a firm, decisive line of conduct, halt between two opinions, where there is no middle path. In God's name, if it be absolutely necessary to declare for peace or war, and if peace cannot be preserved with honor, why is not war commenced without hesitation? I am not, I confess, well informed of the resources of this kingdom; but I trust it has still sufficient to maintain its

just rights, though I know them not: any state, however, is better than that of despair: let us at least make one effort; and if we must fall, let us fall like men.'

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The duke of Richmond, after an able reply to the arguments of lord Weymouth, addressed himself to lord Chatham, for whose person he professed the greatest veneration, and for whose services he retained the sincerest gratitude: but the name of Chatham could not perform impossibilities, or restore the country to the state in which it stood when directed by the counsels of that noble lord. Our revenue was then flourishing under the abilities of that able financier, Mr. Pelham; our fleet was in excellent condition under that renowned officer, lord Anson; and the influence of the crown had not reached its present alarming height: we had, during greater part of the war, France alone to contend with: when Spain became our adversary, France was reduced to the lowest ebb: America then fought for us; now she would be allied with France and Spain against us. 'If the noble earl,' said his grace, 'had pointed out the means of supporting this unequal contest, I should readily acquiesce in his sentiments; but since he has not only omitted to point out the means, but acknowledged that he knows them not, he will excuse me if I adhere to my former opinion. No person is more anxious for the dependence of America; but being convinced of its total impracticability, I would retain the colonists as allies, and thus prevent them from throwing themselves into the arms of France. The noble earl, as a reason for war, has mentioned the inherent rights of the heir apparent: to recover these possessions by force is now impossible; but I will readily join in calling to a severe account those who have caused the loss of his inheritance.'

During this statesman-like harangue, the duke, though he spoke of lord Chatham in words of respect, regarded him with indications of considerable asperity; and his lordship, who was observed to become restless and irritable, frequently denoted, by a motion of his hand, that he had remarked and would

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reply to observations which he considered offensive:¹⁰ but before the conclusion of the speech, he underwent a slight convulsion; and attempting to rise, as if excited by indignation and eagerness to reply, he pressed his hand on his breast, sank down, and was caught in the arms of some of the peers; who assisted in removing him to an adjoining chamber. Medical aid was soon obtained; and his lordship recovered so far as to permit a removal to his favorite villa of Hayes in Kent.

When the agitation caused by this melancholy incident had subsided, the house adjourned; but the resumed debate served only to bring into fuller view the difference of opinion between the Rockingham and Chatham parties respecting America; the former contending for its independence without reserve or delay; the latter deprecating such a measure as one of the greatest political evils that could befall the nation. The duke's motion for an address was negatived by a majority of fifty to thirty-three.

Death
of lord
Chatham.

The first appearances of recovery in lord Chatham were soon found to be delusive. After lingering a short time, and experiencing the most tender care from his wife and children, he expired on the eleventh of May, in the seventieth year of his age: his death was announced in the house of commons, late in the same evening, by colonel Barré; who, having pronounced a short eulogy on the deceased, and given a rapid sketch of his public services, moved for an address to his majesty, that 'the remains of William Pitt, earl of Chatham, be interred at the public expense in Westminster-abbey.' The motion was ably and feelingly seconded by Mr. T. Townshend, and seemed to receive universal approbation; for although, at the time of his decease, this great man had but few personal adherents left in either house, death seemed to restore him to their affections: his errors and aberrations were forgotten: nothing was remembered but the day of his glory. It was known, however, that for some time past his lordship had been looked

¹⁰ See note in Adolphus, vol. iii. p. 76.

on with an unfavorable eye at court; from which quarter some ungracious expression of sentiment was thought to proceed, when Mr. Rigby, one of the *king's friends*, attempted to get rid of the motion, by proposing to erect a monument to lord Chatham's memory, as a more eligible and lasting memorial of gratitude than a public funeral. But the result of this scheme was very different from what its proposer intended: the opposition received it with joy; and Mr. Dunning combined both resolutions, adding Mr. Rigby's suggestion to that of colonel Barré; to which lord North cheerfully assented.

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The king readily agreed to the addresses, so as to remove from himself all imputation of ill-will to the memory of the deceased; and he concurred with another vote of the house, to settle a perpetual annuity of £4000 out of the civil list, on the earldom of Chatham, as well as to grant £20,000 for payment of the late earl's debts. All this passed in the commons without a dissentient voice; but a motion, made by the earl of Shelburne in the lords, that their house should attend the funeral, was lost by a majority of one vote: the annuity-bill also was opposed, but carried by a majority of forty-two to eleven, with a protest by the duke of Chandos, the lord chancellor, lord Paget, and the archbishop of York. The posthumous honors paid to lord Chatham were not confined to parliament: the common council of London petitioned to receive his remains and inter them in the noblest edifice of Great Britain, the cathedral of St. Paul; and when this was refused, they erected to his memory a superb monument in Guildhall.

Posthumous honors to his memory.

The supplies for 1778 amounted to £14,345,497; the navy claiming £5,001,895, and the army £5,579,961; of which latter sum £485,789 was destined to the militia, and to the raising of three fencible regiments in North Britain. Among the miscellanies, was the sum of £105,227 for calling in and recoining deficient gold coin, £12,900 for compiling a general index to the journals of the house of commons, and £56,680 for the relief of American loyalists. To

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provide for these expenses, beside the land-tax and duty on malt, six millions were raised on short annuities, £480,000 by a lottery, and two millions by exchequer bills. The sinking-fund to April 5, 1778, produced £703,700: the whole produce of the lottery was distributed into prizes, four tickets for every £500 stock subscribed, on paying £10 for each ticket: the growing produce of the sinking-fund was applied to the amount of £2,296,209. Various duties and savings produced £148,566. The annual interest on the funded debt, with the annuity, amounted to £330,000; for payment of which a tax of sixpence in the pound was laid on all houses of £5 to 50 a year rent, and one shilling in the pound on all above £50. An additional duty of eight guineas a ton was laid on French wines; and four guineas on all other wines imported: these two taxes were calculated to produce £336,558.¹¹

As the French declaration was delivered only a few days after a contract for the loan had been made, the contractors became great losers through a sudden fall of the stocks; but though no money had been paid as a deposit, such was their honor, that the payments were regularly made: the minister endeavored to procure for them an indemnification, but without effect.¹² Parliament rose, after an unusually extended session, on the third of June; but the adjournment even then was opposed in both houses, on account of the present alarming crisis in public affairs. His majesty, in his speech, thanked his faithful commons, not only for their zeal and attention to the interests of their country, manifested in many wise, just, and humane laws, but for the honorable support they had made for the royal family; referring to a bill passed in this session for settling an annuity of £60,000 on the six younger princes, of £30,000 on the five princesses, and of £12,000 on the son and daughter of the duke of Gloucester; the annuities to take effect, in the first instance, on the demise of the king; in the second, on that of the duke.

¹¹ See Lord North's Administration, p. 313.

¹² Ibid. p. 314.

During the summer recess, lord North appears, by his correspondence with the king, to have hinted at the propriety of pacific negotiations; for his majesty, in reply, urges the necessity of war; though he protests that he is ready 'to sheathe the sword, when permanent tranquillity can be procured.' In the autumn, however, he makes the following remark, which proves how well he was acquainted with the general sentiments of the nation on this point:—'If ministers show that they will never consent to the independence of America, and that the assistance of every man will be accepted on that ground, I am certain the cry will be in their favor.' In the same letter he also observes, that 'if any one branch of the empire is allowed to throw off its dependency, the others will infallibly follow the example.'

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Before we return to the detail of military affairs, let us here briefly advert to the one great and brilliant character, whom the treaty between America and France sent from the latter nation, where he now resided in voluntary exile, to restore the drooping fortunes of his country, and to bear her flag again in triumph over the ocean. George Bridges Rodney,¹³ entered the British navy at the age of twelve, and in his twenty-fourth year was appointed by admiral Mathews to command the Plymouth of sixty guns; in which he safely conveyed and brought home 300 sail of the Lisbon trade, through the midst of a large French fleet, then cruising in the channel to intercept them;¹⁴ for which exploit he received the thanks of the merchants and a confirmation of his rank by the admiralty. After a series of splendid services in the seven years' war, he obtained the rank of admiral, and was raised to the dignity of a baronet: he was next appointed to the government of Greenwich-hospital; and, after four years, to the chief command of the West Indian fleet; in both which situations he conferred important benefits on his country. Like many other great men, however,

Character
of admiral
Rodney.

¹³ See the Life of Rodney, by major-general Mundy; ably and impartially composed from interesting and authentic documents.

¹⁴ In the year 1742.

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he experienced ingratitude from those in power: and lord Sandwich in particular, though professing himself his friend, and claiming great merit for advancing him to the post of glory when success attended his steps, appears liable to the charge of double-dealing.¹⁵ As some recompense for past services, and to repair his ruined fortune, he applied for the governorship of Jamaica, but was rejected in favor of Sir Basil Keith; and being recalled from his command, with a heart full of chagrin he struck his flag at Portsmouth on the fourth of September, 1774. He did not however remain long in England: possessing a very handsome person, courteous manners, and great accomplishments, he had always been a favorite in the highest circles of fashion; where, like many others, he had too eagerly taken in the draught of pleasure: a passion for play, the great bane of high society in those days, added to the expense of several contested elections, and an extravagant style of living, increased his embarrassments to such a degree, that he was obliged to take refuge in France; a country, whose government was destined soon to tremble at his name. As a rupture between the two nations now became probable, he addressed a letter to lord Sandwich, to be laid at the king's feet, with an ardent tender of his services; but he received a cold, formal acknowledgement through the official channel; whilst inferior pretenders, backed by parliamentary interest, were daily appointed to high and important commands. Rodney saw that nothing was to be effected without an audience of the king; but this he was prevented from obtaining by his debts in Paris; where he was obliged to remain, until he received from the hands of a generous stranger, and an enemy to his nation, that assistance which was withheld by his own countrymen.

During this period of suspense he was surprised by a visit from the maréchal Biron, with an offer from

¹⁵ See the Life and Correspondence, above referred to, vol. i. The true merit of calling lord Rodney to the command of the British fleet belongs to George III. When he was once there, ministers were glad enough to support him; for, by their own confession, he was the main support of their administration. See his correspondence *passim*.

Louis XVI. of a high command in the French fleet, since he was unable to obtain employment in that of Great Britain; to which sir George instantly replied—‘Had this proposal, sir, come from yourself, I should have resented it as one of the greatest of insults: since, however, it emanates from a personage who can do no wrong, I shall only answer, that although my own country has forgotten me, she alone is entitled to, and shall have, the best services I can afford her.’¹⁶

This noble reply so strongly affected the generous Frenchman, that, on meeting Rodney afterwards at lord Dunmore’s, he made a proffer of his purse to release him from all embarrassments; and though it was at this time refused, he afterwards pressed it so urgently, and with such sincerity, that the British admiral was by these means restored to his country, to the presence of his sovereign, and to his command in the British navy.¹⁷ That navy is perhaps more indebted to him than to any single man in our annals: one other great commander alone appears as his rival; and his equal he was in courage, in naval skill, in talent for negotiation, and in the eagle eye which lets no opportunity escape. The similarity between the two in these respects is extraordinary: but Rodney preceded Nelson in the adoption of the grand manœuvre which led both to victory; and he restored the British navy, in an almost incredibly short time, from a state of rottenness, physical and moral, to as high a pitch of glory as it ever afterwards attained.

It was not immediately on his arrival in England that sir George could procure the employment which was the object of his ambition: his excellent friend, admiral Keppel, had been appointed to the grand channel fleet, and the admirals sir Hyde Parker, Barrington, and Byron, to commands on the American and West India stations: he obtained however an audience

¹⁶ The biographer observes, that though he cannot produce any positive evidence of this fact, it is generally credited in the admiral’s family.

¹⁷ To the credit of the house of Drummond it must be told, that the instant they knew of the maréchal’s generous conduct, they voluntarily advanced the money, and transmitted it to that nobleman by the earliest conveyance.—*Life of Rodney*, vol. i. p. 185, note.

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affairs in
America.

of the king, who gave him a gracious reception, and cheered him with an assurance that his anxiety to serve his country should soon be gratified; in earnest of which, he raised him, on the twenty-ninth of June, to the rank of admiral of the white.

During its continuance in winter-quarters at Philadelphia, the British army confined its efforts to predatory excursions; several of which were attended with considerable success. Major Maitland, and captain Henry of the navy, destroyed a large quantity of stores, with forty-four American vessels, which had escaped up the Delaware after the capture of Mud Island: but these unimportant enterprises were not sufficient to compensate for the want of energy displayed by the British commander, whose army spent the winter in dissipation, exhibiting a remarkable contrast of shameful luxury and extreme misery; not only were the sober habits and steady morals of the Philadelphians shocked by the licentiousness of British youth, but gaming was carried on to an unwarrantable length; being permitted by the general, and sanctioned by his daily practice. Many officers were utterly ruined, and obliged to sell their commissions in consequence of this fatal frenzy.

In the mean time, though the brave Washington was earnestly engaged in recruiting his forces, few could be induced to encounter the severities of winter without any hope of service or probability of relief: desertion among the soldiers was countenanced by frequent resignations among the officers; nor was this calamitous consequence of the parsimony of congress remedied, until the remonstrances of the general induced them to grant half-pay for seven years after the war, which was subsequently extended to the period of life. Washington also remonstrated in strong terms against the detention of general Burgoyne's army; representing it as an act of national dishonor, injurious to their cause, in the breasts both of foreigners and their own countrymen: but here he pleaded in vain; congress was determined to obtain a ratification of the treaty of Saratoga; and the principal

blame undoubtedly lay on the government which refused it.

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Desirous of embracing an early opportunity to counteract the views of France, the British ministry had sent draughts of their conciliatory bills to America, copies of which were put into circulation by sir William Howe: Washington transmitted some of them to congress, being apprehensive that the measure might detach adherents from the cause of independence. By his recommendation, a committee was appointed to investigate and analyse these bills; which task they executed in such a manner, as made the plans of Great Britain appear to centre in dishonesty, and to exhibit her weakness; it was then decreed that any partial convention with the commissioners should render the party or parties engaged in it guilty of treason against the state: no conference was to be permitted as a preliminary step, unless the independence of America were acknowledged by a removal of British fleets and armies from her shores.

These measures fully verified the predictions of that party in our senate, who forewarned the minister of his failure: nor had the resolutions of congress long passed, before Mr. Silas Deane brought to America a copy of the treaty of alliance and commerce between France and the United States: this occasioned great public rejoicings, and raised the spirits of the people to a high pitch; while congress asserted, that the British cabinet only proposed conciliatory bills in consequence of its fears. A partial publication of the treaty was made, ascribing noble views to the French monarch, and anticipating the concurrence of many other European powers, with the good will of all: in fact, the colonists determined now to refuse, and to fight against, concession: the object of resistance they saw would be conceded; but they refused to accept an imperfect freedom, when a more perfect one was within their grasp. La Fayette communicated the joyful news to the American commander in chief; public thanks to Almighty God were offered up by the army chaplains; a *feu de joie* was fired; and, on

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Unfortu-
nate action
under La
Fayette.

a concerted signal, the air resounded with 'Long live the king of France!'

La Fayette, from the time of his joining the American army, had been panting for some command in which he might have an opportunity of distinguishing himself: on this exhilarating occasion, the general yielded to his solicitation; and detached him with 3000 men to occupy a post on Barren-hill, seven miles in advance of the camp, and on the opposite side of the river, for the purpose of restraining the British excursions: but general Grant, being despatched with 5000 select troops to surprise him in this unfavorable position, reached a point, without discovery, between his rear and Washington's camp: there the road forked; one branch leading to Barren-hill, about a mile distant; the other nearly as far, to Matson's-ford, across the Schuylkill.

In the course of the night, another detachment under general Grey marched along the western bank of the Schuylkill, and posted themselves at a ford, about three miles in front of La Fayette's right flank; while the rest of the British army advanced to Chesnut-hill: his retreat was thus cut off from every passage except that of Matson's-ford; but the approach of the British was accidentally discovered by a troop of provincial horse; and La Fayette retired with terror and precipitation toward the ford, through some low woody grounds that flank the river: in vain was this retreat indicated to general Grant, who obstinately persisted in advancing to Barren-hill; and only, when he found it evacuated by the enemy, did he pursue the track which they had taken. In their flight across the Schuylkill, the Americans had left six field-pieces; but so dilatory was the pursuit, that they returned, recovered their cannon, and escaped with a loss of only forty men. At this time, one of the greatest sources of uneasiness to Washington was the number of foreigners who annoyed and embarrassed him with their claims for rank, and importunities for service: their pretensions could rarely be gratified, except at the expense of native officers; and the expectants were

frequently found to be more distinguished by their own conceit than any other qualification. 'I devoutly wish,' says the general to his friend, Gouverneur Morris, 'that we had not a single foreigner among us except the marquis de la Fayette, who acts on very different principles from those which govern the rest.'¹⁸

Soon afterwards, sir Henry Clinton arrived at Philadelphia, to supersede sir William Howe, who had been for some time soliciting his recall, through feelings of resentment for want of confidence reposed in him, and inattention to his recommendations; a charge, indeed, which was scarcely justified by the success of his exertions, and the result of his campaigns.

In the month of June, the three commissioners appointed under lord North's bills, the earl of Carlisle, governor Johnstone, and Mr. Eden,¹⁹ arrived in the Delaware. The concessions which they were empowered to tender were so ample, that at an earlier period they could scarcely have been rejected; but it was the misfortune, or fault, of our ministers to be always out of season with measures of conciliation. These were submitted to the consideration of congress, and produced considerable debates; but on the seventeenth of June, the president returned an answer, in which it was remarked, that the acts of parliament, and other papers emanating from the British administration, were so framed as to imply that citizens of the United States were subjects of the British crown, which never could be admitted: it was farther said, that they would be ready to discuss a treaty of peace and commerce, not inconsistent with treaties already existing, whenever the king of Great Britain should exhibit a sincere disposition to that purpose; the only proof of which would be an explicit acknowledgement of American independence by recalling his fleets and armies. In addition to his public exertions as a commissioner, governor Johnstone endeavored to compass the object of his mission by opening a

¹⁸ Life of Gouverneur Morris, vol. i. p. 173.

¹⁹ Afterwards lord Auckland.

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private correspondence with some of the members of congress and other persons of influence: in a letter to general Reid, he observed, 'that the man who could be instrumental in bringing all to act once more in harmony, and to unite the various powers which this contest has drawn forth, would deserve more from the king and people, from patriotism, humanity, and all the tender ties which are affected by quarrel and reconciliation, than was ever yet bestowed on human kind.' Under an idea that attempts had been made to corrupt Mr. Reid and others, congress ordered that all letters received by its members or their agents should be laid before them; and in consequence of this and other communications from governor Johnstone to Francis Dana and Robert Morris, publicly produced, resolutions were passed, declaring it to be incompatible with the honor of congress to hold any farther intercourse with the said George Johnstone, esq.: a copy of these, sent by a flag to the commission at New York, produced an angry declaration from that gentleman, denying or explaining away what had been alleged against him. The commissioners, failing in their attempts at negotiation, next endeavored to separate the people from their rulers, by a manifesto, declaring, that as the whole contest changed its nature when America formed the unnatural design of estranging herself from the parent state, and mortgaging herself and her resources to the enemies of Great Britain; the question now was, how far the latter might, by every means in her power, destroy or render useless a connexion contrived for her ruin, and for the aggrandisement of France: general pardons were proffered to all who within forty days should withdraw from the service of congress; and to the colonies at large, or separately, a general or separate peace, with peculiar privileges. Congress immediately declared that the circulators of this manifesto were not entitled to the privilege of a flag, and advised the states to seize and keep them in close custody; but that they might not appear to hoodwink their constituents, they published it in the American newspapers. The people

were also exhorted, if the king's troops should begin to burn or destroy any town, to retaliate on the houses and property of all tories and enemies to American independence, securing their persons, but abstaining from wanton cruelties. Congress also issued a counter-manifesto, extolling its own clemency, and reproaching the British troops with devastating the open country, burning villages, and murdering citizens; while our prisons were represented as the slaughter-houses of soldiers, and our ships of seamen; cruel injuries being aggravated by gross insults: in conclusion, they declared, that if the British army dared to execute its threats, or persist in its barbarous career, exemplary vengeance should deter others from similar conduct. Thus ended the last effort of Great Britain to regain her colonies by negotiation; an effort originating in folly and ignorance; which tended to cement friendship between the new allies, and to justify resistance in the colonists: for by offering to concede all which they at first required, she virtually acknowledged herself to have been the aggressor in an unjust war.

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If the treaty with France was calculated to raise the spirits of Americans, the evacuation of Philadelphia tended to increase the effect. This measure was contemplated as soon as the prospect of a French war opened on the British cabinet; for a more central situation was desirable for our army: general Clinton therefore withdrew his troops from the capital of Pennsylvania about the middle of June; and they were transported across the Delaware without molestation: their march however was encumbered by a large body of royalists, driven to this necessity by the cruel neglect of congress, who, contrary to the humane advice of the general, adopted no resolution to render their continuance in Philadelphia secure.²⁰ The army, thus embarrassed, and extending in its march over a space of twelve miles, proceeded slowly: Washington had sent parties forward to break down bridges and otherwise harass them; but he kept himself at a respectful distance, being suspicious of

Evacuation
of Philadel-
phia by the
British.

²⁰ Washington's Letters, vol. ii. p. 283.

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his wary and skilful antagonist. The American detachments having been reinforced by chosen men, general Gates occupied the opposite bank of the Rariton, in front of the British; while Washington, in the rear and on the left, behind Milestone-creek, was ready to effect a junction: but Clinton escaped the danger of this combination by wisely moving toward Sandy Hook, and passing to the right, instead of crossing the Rariton. When he arrived at a place called Freehold Court-house, near Monmouth, a vigorous attack was made on his baggage by a detachment under general Lee, and was as bravely repulsed: the British light troops impetuously pursued the fugitives, until these were met and rallied by Washington himself; and to prevent their being cut off, sir Henry Clinton was obliged to maintain his position under a severe cross-fire; after which, he withdrew to his former position, leaving about 360 slain on the field: among these was colonel Monckton, an officer so beloved by the soldiers, that during the engagement, and in the midst of a heavy cannonade, his brave followers dug his grave with their bayonets, where he fell, and threw the earth over him with their hands. The loss of the Americans in this engagement was equal to that of their antagonists: but some idea of the hardships which all the troops underwent may be formed from the circumstance, that in this engagement fifty-nine of the British expired through excessive heat and fatigue, without receiving a wound. Washington, wrapped in his cloak, lay that night on the field in the midst of his soldiers, ready to renew the contest next morning; but his opponents thought proper to retire. While Clinton was preparing to embark at Sandy Hook, the Americans appeared in sight: he waited two days to give them battle, which was declined; and on the fifth of July the British army reached New York, lord Howe with his fleet being already arrived. Soon after the affair of Monmouth, the provincial army took up its position at White Plains, on the borders of the Hudson, where it remained till late in the autumn.

General Lee had been sternly reprimanded by Washington, when they met in his late retreat; and was strongly suspected of intending to cause defeat in the army, for the purpose of disgracing his superior: in consequence of this, he wrote some petulant letters in vindication of his character, which placed him at the mercy of the American commander; and being found guilty by a court-martial, he was sentenced to suspension from his rank for a year: but in consequence of his ungovernable rashness, he never afterwards attracted honorable notice; though his abilities were unquestionable, and he had been of great service in disciplining the provincial troops.

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Disgrace
of general
Lee.

In April, a French squadron was fitted out at Toulon, consisting of twelve ships of the line and six frigates, under command of the count d'Estaing, and having on board a large body of soldiers. Had not tempestuous weather protracted their voyage across the Atlantic to the unusual term of eighty-seven days, the British fleet, under lord Howe, which was inferior both in number of ships and weight of metal, would probably have been captured; the surrender of the army must then have followed, for Byron's fleet was wholly dispersed and shattered by storms. The French admiral, unable to meet his opponents in the spot most favorable to his designs, sought them in their more defensible post at New York; where lord Howe, who had many qualifications of a great naval commander, had taken admirable precautions for protecting his fleet.¹ D'Estaing appeared on the eleventh of July; but being unable to carry his heavy ships over the bar, he directed his course toward Rhode Island, for the reduction of which a plan had been concerted; general Sullivan, with 10,000 men, being ordered to pass over and attack the British lines at Newport, in which 6000 troops were intrenched, while the French fleet assailed them on the opposite side.

Lord Howe, being soon afterwards joined by three

Unsuccessful
attack
on Rhode
Island.

¹ His force consisted only of six ships of sixty-four guns, three of fifty, and two of forty. It is astonishing that our naval officers in those days could make head against the bad management of the admiralty.

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ships from admiral Byron's squadron, carrying respectively seventy-four, sixty-four, and fifty guns, determined, although still inferior to the enemy in weight of metal,² to sail out, and try the fortune of war. On his appearance off the harbour of Newport, the French admiral put to sea to engage him; and while these two commanders were exerting all their skill to gain the advantages of position, a violent gale came on, which greatly damaged the fleets of each. The Languedoc, of ninety guns, d'Estaing's own ship, after losing her masts and rudder, had nearly fallen a glorious prize to captain Dawson in a fifty-gun ship, when six French ships of the line appeared, and averted the otherwise inevitable fate of their admiral: in the same way, the Tonnant, of eighty guns, with only her mainmast standing, was rescued from commodore Hotham, who commanded another fifty-gun ship: no capture was made on either side; but though the British suffered much less than the enemy, they were constrained to return to New York for the purpose of refitting their ships. The French fleet came to anchor near Rhode Island on the twentieth, with a determination to sail for Boston: before this design was put into execution, general Greene and La Fayette went on board the Languedoc, anxious that d'Estaing should bring his fleet into Newport harbor: but his principal officers were averse to the measure; and he had been instructed to repair to Boston if his ships met with any misfortune: he therefore persisted in following the precise letter of his instructions, and on the twenty-second again set sail: lord Howe, having repaired his damages, quickly followed him to Boston harbor; but found the French fleet so protected by land batteries, that he saw no prospect of a successful attack. Admiral Byron, who arrived soon afterwards, now took the chief command, and his lordship returned to England.

General Sullivan had already broken ground against the British troops on Rhode Island; but the departure of the French fleet so reduced his chances of success,

² One of d'Estaing's ships carried ninety guns, another eighty, six seventy-four, and three sixty-four.

that he was deserted by the volunteers, of whom half his force consisted; and he found it necessary to retreat to the northern part of the island. Being pursued by the British, a partial engagement took place, in which more than 200 fell on each side: on the thirtieth of August, as lord Howe's fleet, with sir Henry Clinton on board, appeared in sight, he retired during the night, and evacuated the island.

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The conduct of d'Estaing gave great offence to his allies: had he prosecuted the scheme originally laid down, the reduction of our station on Rhode Island would probably have ensued; but by sailing out of the harbor in the first instance to engage the British fleet, and in the second by refusing to re-enter it, he frustrated the whole plan of operations. The Americans justly complained that they had incurred great expense and danger, with a view to his effective co-operation; and were abandoned on an island, without naval protection, to a large force of their enemies by sea and land: still they could not hide from themselves, that the arrival of the French fleet was of great service to their cause; for it not only deranged the plans of their antagonists, but convinced the colonists that his most christian majesty was seriously disposed to support them; and thus they were encouraged to persevere in the war, from a hope that better fortune would attend their future exertions.

The operations of the British army at New York during this campaign were successful, though on a small scale. Major-general Grey destroyed, in Plymouth county, nearly 100 vessels of various sizes, with all the magazines and stores in those parts: and from a small but fertile island, called Martha's Vine-yard, he carried off the astonishing quantity of 10,000 sheep, with 300 oxen, to supply the British troops at New York. This officer soon afterwards gained a very unenviable trophy by surprising a regiment of American light horse, called Baylor's regiment, in a detached position, near Tappan: his men proceeded with such silence and address, that they cut off a sergeant's patrol without noise, and came on the unfortunate

Operations
of the
British
army.

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regiment immersed in sleep, and incapable of resistance; when the British, rushing forward with the bayonet, put a considerable portion of them to death, wounded many more, and took the rest prisoners.³

A squadron was also sent against Egg-harbor on the coast of New Jersey, a noted rendezvous for privateers: the troops were landed, and ten prize vessels, scuttled by the Americans, were destroyed; as also were some extensive salt works, with the stores and houses of many persons belonging to what was called the whig party. A detachment under captain Ferguson, guided by the information of deserters, surprised and cut to pieces part of the Polish count Pulaski's legion: few escaped with life, as five only were made prisoners. On the return of the squadron to New York, the British army was withdrawn from its forward position, and placed in winter-quarters: Washington then moved his troops to Middlebrook in New Jersey, where they built huts like those at Valley Forge.

The above instances of merciless warfare by British troops were far surpassed by the ferocity of the savages, induced to make incursions against the back settlements by American loyalists or tories. The beautiful and flourishing settlement of Wyoming, which had been peopled by the overflowing population of Connecticut, was first doomed to suffer from that exterminating spirit which too often disgraces humanity. The fine river Susquehanna runs through this district, which possesses such advantages of soil and climate, that, although occupied only since the last war, it had become extremely populous, sending 1000 men to serve in the American armies: the weak state of defence in which the settlement was left being reported to colonel Butler, who had been employed as an agent among the northern Indians, and had sometimes acted as their leader, he immediately led a body of about 1500 men, part savages, and part disguised as such, against this hitherto happy district, which was guarded

³ This massacre was the subject of much complaint: the particulars were ascertained on oath before governor Livingston, and submitted to public judgment; but its atrocity was greatly exaggerated.

by four forts: the first of these, being occupied by a party chiefly of tories, was voluntarily surrendered: the second was taken by storm, and the males were all murdered with many aggravations of cruelty; but the women and children were spared. Under pretence of a parley, Butler drew the principal officer, with most of his men, out of the third, into an ambuscade, where almost all were cut to pieces: he then invested the fort, thus rendered incapable of defence; and to appal the spirits of the wretched garrison, he sent them 200 gory scalps of their murdered comrades and relations: when the besieged requested to know what terms he would grant them, the monster's reply was, 'the hatchet.' Despair caused the place to be defended a short time longer, but at length it surrendered at discretion; and the conquerors, weary of manual cruelties, after selecting a few from the sacrifice, shut up the rest, without distinction of age or sex; and then setting fire to the building, enjoyed a satanic pleasure in the piercing cries of their tormented victims. The fourth and last fortress was unconditionally surrendered; but most of its inmates suffered a similar fate, being put to death with lingering tortures on the spot, or shut up and burned in their houses. All, except the tory families, were involved in an indiscriminate slaughter: the very land was laid waste; and the cattle that escaped with life had their tongues cut out, or their bodies maimed in some irremediable manner.

On the other hand, an expedition was undertaken by some Americans from the back of Virginia, against a Canadian settlement in the country of the Illinois, which they reduced, and exacted from the inhabitants an oath of allegiance to the United States; while the governor, M. de Rocheblave, who had been very active in stirring up Indians to attack the back settlers, was sent prisoner to Virginia. Another party, eager to revenge the desolation of Wyoming by the savages, penetrated, with uncommon perseverance and contempt of danger, into the recesses whence those fiends had issued: all their caution, however, could not prevent an alarm being spread; so that both Indians and re-

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French en-
voy arrives
at Phila-
delphia.

fugées escaped : but their habitations, with all their property and lands, were destroyed and laid waste.

While these horrid scenes were taking place, M. Gérard, envoy to the United States from the court of France, arrived at Philadelphia; whence the British commissioners had so lately been compelled to withdraw, and whither congress had again returned. In October, instructions were prepared for Dr. Franklin, as minister plenipotentiary at the court of Versailles; and the task of making a draught of this first diplomatic document to an ambassador was confided to Gouverneur Morris, the members of congress,³ and an intimate friend of Washington.

Among the first consequences to the French from their aggression, was the loss of their privilege of fishing on the banks of Newfoundland; the little islands of St. Pierre and Miquelon, granted to them at the peace of 1763, were now recaptured, and the garrisons conveyed to France: this loss however they more than repaired on the seventh of September, when the island of Dominica surrendered to the marquis de Bouillé, after £70,000 had been expended on its harbor and fortifications. At this time, the communication of intelligence between England and the West Indies was so defective, that admiral Barrington, who commanded a naval force at Barbadoes, was first informed of hostilities between his own country and France, by a document from Paris, published at Martinique in the middle of August.

The count d'Estaing, who had long remained inactive at Boston, at length proceeded to relieve the island of St. Lucie, which was exposed to a combined attack from admiral Mathews, and the generals Grant and Meadows. Though the Frenchman commanded twelve sail of the line, with a numerous train of frigates and American armed ships, and a military force of 9000 men, he was shamefully repulsed in two naval encounters by admiral Barrington, who had only three ships of the line, three of fifty guns, and a few frigates: nor was he more successful in an assault by land on the

³ Life of Gouverneur Morris, by J. Sparks, vol. i. p. 188.

division of general Meadows; being obliged to retire with a loss of 1300 men, and leave the island to its fate: a surrender became inevitable; and the British commander granted such favorable terms as entitled him to the gratitude of the enemy.

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The Americans soon perceived that the French, in espousing their quarrel, mainly sought their own interest: d'Estaing, before he sailed on this expedition, published a proclamation to the Canadians, exhorting them to return to their former allegiance; and Washington, through the ascendancy of a French party in congress, was strongly urged to undertake the reduction of that province, in conjunction with a French force: but he foresaw the danger; and instead of communicating with La Fayette, as directed by the committee for foreign affairs, wrote a long letter to congress, forcibly displaying the impolicy of the measure.⁴

Soon after the departure of our commissioners, while the British and American commanders watched each other's motions, and mutually forbore any general attack, the province of Georgia was successfully invaded by the English; when sir Henry Clinton despatched colonel Campbell with 3500 men, by sea, under convoy of admiral Parker, and directed major-general Prevost, who commanded in East Florida, to co-operate with these forces. Robert Howe, an American general, had recently made an attack on the last-mentioned province; but being constrained to retire with loss, he had stationed his small army near Savannah: not having force sufficient to oppose the disembarkation of the British troops, he directed his attention to the security of the town; but colonel Campbell, having discovered a private path which led through a swamp round the right of the Americans, surprised their rear, and obtained a decisive advantage: he then succeeded in capturing the town, with an abundance of stores; and being as humane as he was brave, greatly conciliated the provincials by his lenity and moderation. When general Prevost arrived, he

Capture of
Savannah
by the
British.

⁴ See Washington's Letters, vol. ii. p. 348.

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the British
channel.

took the chief command, and afterwards completed the conquest of the province.

The operations of war, however, were not confined to this quarter of the globe; for an engagement occurred in Europe which excited no little animadversion. The high reputation and experience of admiral Keppel having pointed him out for command, he was entrusted with the maritime defence of the country, and sailed from Portsmouth with twenty ships of the line: on the seventeenth of June he discovered two French frigates, *la Licorne*, and *la Belle Poule*, reconnoitring his fleet; and, though no formal declaration of war had passed, he thought himself justified in attempting their capture: being chased, the first frigate fired both with cannon and musketry, struck her colors, and was taken; but the other, after having fiercely encountered and dismasted a pursuing vessel, escaped among the rocks on the French shore. Keppel, being apprised from the papers of *la Licorne*, and other intelligence, that the enemy had thirty-two sail of the line and twelve frigates ready for sea in Brest harbor, returned to Portsmouth; but not without raising great public indignation and reproaches against himself.

At this alarming crisis, the first lord of the admiralty found it necessary to make unusual exertions: hastening down to Portsmouth, he sent the admiral out again to sea on the tenth of July, with a reinforcement of four ships of the line, which were speedily followed by six others: by this time the French had put to sea; and when Keppel fell in with them, four days were spent in manœuvring off Ushant. The French fleet was commanded by the count d'Orvilliers, and the ducs de Chaffault and Chartres; the English by Keppel, sir Robert Harland, and sir Hugh Palliser: being on different tacks, the fleets sailed in opposite directions; and the engagement lasted three hours, at the end of which they had passed each other, and the cannonade ceased; but the French, by firing at the rigging, had so crippled our ships, that, when the latter wore, they were unable to stand after the enemy, until they had, towards the close of the day,

formed their line of battle again to leeward of the British. 'This,' said Keppel, after extolling the conduct of his officers, especially of the second and third in command, 'I did not discourage; but allowed them to do so without firing on them, thinking they meant handsomely to try their force with me in the morning: but,' he added, 'they had been so beaten in the day, that they took advantage of the night to go off:' the French commander however declared, that although during the action the English had the advantage, yet, after the firing ceased, he had decidedly outmanœuvred his opponent. In this conflict, the Formidable, bearing sir Hugh Palliser's flag, was disabled; not so much by the enemy's fire, as by an explosion of gunpowder, which blew up part of her deck: hence arose great confusion in the ship; so that the signal of the commander in chief was neither observed, nor repeated to the blue squadron: when Keppel saw this, he ought to have hoisted a signal to every individual ship of that division; and he afterwards excused himself on a pretence of delicacy toward sir Hugh Palliser, who was one of the lords of the admiralty; a false delicacy, which destroyed the probability of a splendid victory.

Soon after this engagement, the British admiral returned to port to refit; putting to sea again on the twenty-third of August, and continuing afloat till the twenty-eighth of October: but, though he had received approbation from the admiralty, and been graciously distinguished at court, the public agitation did not subside: various anonymous paragraphs appeared in journals against the commander in chief, who passed them over in silence; but sir Hugh Palliser having replied to an attack in a morning paper, which fully stated the transactions of the twenty-seventh of July, and drew obvious conclusions from them, Keppel refused to authenticate the answer, or to contradict statements advanced by an anonymous accuser. In a few days, therefore, Palliser published his own case, which bore hard on his superior officer, whom he charged with inconsistency, for having approved his

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conduct in a public despatch, and now refusing to defend him against a malignant accusation: admiral Keppel, on the other hand, strangely enough considered his official approbation as a mere matter of form, adopted to prevent disunion in the service, and subject to explanation; also as confined to the time of actual engagement, and not extending to acts which had frustrated the well-founded hopes of a renewed conflict: under these circumstances, he would not exculpate the vice-admiral; but chose rather to criminate him than to incur public odium on his own account.

Such was the state of the dispute when parliament met on the twenty-fifth of November. The speech from the throne took very little notice of the war in America, but loudly complained of the unprovoked hostility of France: regret also was expressed that the efforts made against the malignant designs of the enemy had not been commensurate, in all instances, with the justice of our cause and the exertions of government. The addresses of both houses were, as usual, carried by great majorities: but, shortly afterwards, the attention of parliament was attracted by a motion of the marquis of Rockingham for an address to his majesty, to express regret and displeasure at the dreadful threats denounced against our colonists by the commissioners, without any authority from the act of parliament. In the course of an able speech, the noble mover addressed himself in a striking manner to the bench of bishops; observing, 'that the nature and principle of the war were now entirely changed: the right reverend bench, relying on the assurances of ministers, might originally have believed its motives honorable and its object easily attainable; but the same ministers now declared to all the world that a new policy was to be adopted; America was relinquished, and a new species of war announced, tending merely and avowedly to revenge, slaughter, and universal destruction. The votes of their lordships on this occasion would at once fully express their detestation of the inhuman system in question; and, conjointly with those of temporal lords who felt the

same sentiments, would obviate its effects.' After a vehement debate, in which ministers endeavored to palliate what no one dared to defend, the motion was negatived by seventy-one against thirty-seven peers; but thirty-one of these latter, including the honorable names of Rockingham, Camden, Effingham, and Harcourt, joined in a very energetic protest against 'a war of desolation.' The right reverend bench appears to have seen more justice in the arguments of a ministry, than in the christian appeal of lord Rockingham; for the name of only one bishop⁵ was found in the list of signatures. Mr. Coke made a motion for a similar address in the commons, which was rejected by a majority of 209 against 122.

In debating an amendment to the address, Mr. Fox introduced the subject of the late naval dispute, by severe allusions to the disgraceful and dangerous situation of the grand fleet when admiral Keppel first took the command; for it was then inferior, by ten ships of the line, to that of the enemy. The contest off Ushant came more immediately under discussion when the navy estimates were presented; and Mr. Temple Luttrell was anxious for inquiry, declaring that the nation expected an investigation of the whole transaction: the two admirals were in the house, and were called on to give information, by a regard for their own honor, as well as the public tranquillity.

Admiral Keppel declared that the glory of the British flag had not been tarnished in his hands: he impeached no man; and was persuaded that sir Hugh Palliser manifested no want of courage: he hoped he should not be compelled to answer questions relative to the action, or to individuals; but was ready, if duly required, to explain his own conduct; for nothing was left untried to bring the French to a decisive action: he acknowledged his surprise at an officer under his command appealing to the public in a newspaper when no accusation was made, and endeavoring to render his commander odious and despicable: such conduct was fatal to all obedience and discipline.

⁵ Dr Shipley, bishop of St. Asaph.

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Sir Hugh said he was no less indifferent than his superior officer to investigation; which it was rather his interest to obtain: he censured the admiral's reserve, and wished him to state his sentiments openly, that a full answer might be given to them: he complained, that while justice was rendered to his courage, he was still calumniated in other respects as an officer; he had ineffectually sought an explanation from his chief, and had reluctantly appealed to the public in a statement of facts, by which he was ready to stand or fall; he denied that he had refused to obey signals, and treated all insinuations, or apparent tenderness, with utter contempt.

Admiral Keppel, in reply, thought that sir Hugh's appeal to the public fully justified his refusal to sail again with him, and asserted that the signal for coming into the Victory's wake⁶ was flying from three o'clock in the afternoon till eight, unobeyed; yet he did not accuse the vice-admiral of actual disobedience. The latter retorted, by charging Keppel with having neglected to arrange his ships in order of battle, so that a general engagement could not be brought on; with having neglected to tack and double on the French with his van and centre, after these had passed the enemy's rear, and thus leaving the vice-admiral of the blue exposed to be cut off; with having given opportunity to the enemy of rallying unmolested, and of claiming a victory by standing after the English ships; and, lastly, with having, on the morning of the twenty-eighth, led the British fleet in an opposite direction, instead of pursuing the French.

These charges sir Hugh presented at the admiralty, and a court-martial was ordered on Keppel; though the compliance with this requisition was very unpopular, both in and out of parliament: a memorial, also, was signed against it by lord Hawke and eleven other admirals, who reprobated any attempts made by officers to corrupt the public judgment, through unauthenticated statements in a common newspaper.

After sitting thirty-two days, the court fully and

⁶ Keppel's flag-ship.

honorably acquitted the accused; affirming, that so far from having sullied the honor of the British navy, he had acted as became a judicious, brave, and experienced officer. This very favorable sentence seems to have been greatly owing to the convincing evidence of captain John Jervis of the *Foudroyant*, who gave in the late action a striking specimen of that bravery and skill which eventually conducted him to the highest honors of his profession: being asked by Keppel whether he, who had the fullest opportunity of observing his conduct from his station, saw or knew any instance in which he, the admiral, had failed in his duty on the 27th and 28th of July, captain Jervis begged that the question might be put to him by the court. This being done, he made answer as follows.

‘I feel myself bound by the oath I have taken to answer this question, and I believe it to be consonant to the general practice of sea courts-martial. I cannot boast a long acquaintance with admiral Keppel; I never had the honor to serve under him before; but I am happy in this opportunity of stating to the court, and to the whole world, that, during the whole time the English fleet was in sight of the French fleet, he displayed the greatest naval skill and ability, and the boldest enterprise on the 27th of July; which, and the promptitude and obedience of vice-admiral sir Robert Harland, will be subjects of my admiration, and of my imitation, as long as I live.’ Keppel’s acquittal was followed by illuminations, and other enthusiastic marks of joy on the part of the public: the house of sir Hugh Palliser was broken open and its furniture destroyed, while he himself was hung in effigy: the dwellings, also, of lord North, lord George Germaine, and those of some distinguished officers who had given evidence, were exposed to insults; nor were the doors and windows of the admiralty itself spared: Keppel received also the thanks of the city, and of the two houses of parliament.

These circumstances, seeming to cast a stigma on sir Hugh Palliser, occasioned that officer also to demand a court martial: previously to which he resigned

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all his offices under government; which voluntary sacrifice frustrated a motion meditated by Mr. Fox for his removal. This court sat twenty-one days, and then declared the behaviour of sir Hugh Palliser to have been in many respects exemplary and meritorious; acquitting him honorably of all charges, except that of not making known to his commander the disabled state of his ship.

Such was the termination of this ill-judged contest, in which both admirals appear to have deserved censure: both injured their former reputation; and neither of them was ever afterwards employed in active service. The rejoicings on Keppel's acquittal, and the insults offered to sir Hugh Palliser, evidently showed the alteration of sentiment which was taking place in the public mind regarding the American war, although ministers were still able to preserve their majorities in a corrupt parliament.

Domestic
events.

In January, this year, Nootka Sound and the Sandwich Islands were discovered by captain Cook. By a return made to parliament in February, the quantity of gold brought in for recoinage amounted to £15,563,393; the whole expense of recoinage it being £700,000. In April, the Oxford canal was opened at Banbury; and in September the wet-docks at Hull were completed. On the twenty-third of April, a party of adventurers from on board an American privateer, commanded by Paul Jones, landed and burned one of the ships in the harbor of Whitehaven: they had just before disembarked near Kirkcudbright, and pillaged the mansion of lord Selkirk, carrying off all his lordship's plate. During this year the king attended many military and naval reviews, and paid visits to some of the nobility: he was accompanied by her majesty; and the gracious manners of both, added to the interest they took in various institutions, as well as their public and private acts of charity, tended to confirm and increase in all ranks of people sentiments of loyalty.

CHAPTER XXI.

GEORGE III. (CONTINUED.)—1779.

Proceedings of parliament—Attacks on lord Sandwich—Motion respecting contractors—Motion for the removal of lord Sandwich—Investigation respecting the conduct of general and lord Howe, involving the conduct of ministers—Consideration of general Burgoyne's conduct—Riots in Scotland from apprehension of relief to papists—Lord Nugent's motion regarding the trade of Ireland—Relief defeated—Resolution of the Irish merchants—Armed associations in that country, and effects of them—Notice taken of them in the house of lords—Departure of the Spanish ambassador, &c.—Junction of French and Spanish fleets—Motions, &c. in parliament—Bill for the impressment of seamen—French and English fleets in the channel—Termination of the session—Supplies, &c.—Affairs in the West Indies—Loss of St. Vincent's and Grenada—Tobago saved—Naval action—D'Estaing's bad conduct—Seat of war transferred to the southern states—Operations in Georgia—D'Estaing arrives off the coast—Ineffectual attempt to reduce Savannah—D'Estaing returns to France—British incursions against Virginia—Capture of Stony Point and Verplanks—Fortification of West Point—Command given to Arnold—Expedition against Connecticut—Stony Point re-taken by general Wayne, but deserted at the approach of the British—British garrison surprised at Paulus Hook—American disaster at Penobscot—Sir George Collier resigns the naval command—Washington's policy—American retaliation on the Indians—Spain attacks West Florida and the British settlements on the Mississippi—She next attacks the logwood cutters in the bay of Honduras—Capture of Omoa by the British—Action between Paul Jones and captain Pierson—Memorial to the States-General—Rodney appointed to the command of the fleet in the West Indies—Prince William Henry sails as a midshipman—Action of admiral Kempenfeldt—State of British government—Meeting of parliament—Changes in administration—Irish affairs.

WE must now return to the proceedings of parliament. Mr. Fox followed up the acquittal of his friend admiral

Proceed-
ings of par-
liament.

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Keppel by a motion of censure on lord Sandwich, intended as the prelude to another, for his removal from office: the alleged reason for this was the inadequacy of the force furnished in the first instance to the British admiral, when ministers knew, or ought to have known, the superiority of the French fleet. It was answered, that no evidence existed of the fact charged against them; for it appeared from the papers of la *Licorne* that the stated number of ships was in preparation, not actually equipped or ready for sea; as a proof of which, the French did not leave their harbor till a fortnight after the capture of that frigate: the motion was rejected by 204 to 170; a smaller difference than had yet occurred on any question regarding the war. Mr. Fox made a second attack on the whole of lord Sandwich's administration, in which he was supported by admirals lord Howe and Keppel; but the motion of censure was rejected by 246 to 174. Great dissensions were at this time prevalent in the navy, and serious apprehensions entertained of their consequences: a declaration of admiral Keppel, on the last motion of Mr. Fox, that he would not accept any command under the present ministry, tended to increase the flame; several distinguished officers quitted the service, or declared they could not act under the existing system; the political parties reciprocally accused each other of raising this spirit of discord, which remained till the gallant Rodney took the command: for a time, it impeded even his exertions in the country's service, and snatched the laurels of victory from his brow; but it was finally subdued by his powerful mind.

In the month of February, sir Philip Jennings Clerk, encouraged by partial success on a former occasion, made another attempt to disqualify contractors from sitting in the house of commons; but he soon found that a change of opinion had taken place; for his motion was rejected by a majority of 205 to 124. On the tenth of March, Mr. F. Montague proposed a bill for granting farther relief to protestant dissenting ministers and schoolmasters;

which, though opposed by the high church party, was strongly supported by others, on views of political expediency, and carried through both houses. The chief business of this session seemed to consist in the discussion of executive conduct: admiral Pigot now made the motion relating to his brother, which has been already noticed; and on the nineteenth of April, Mr. Fox moved an address to the king for the dismissal of lord Sandwich from his service, on account of misconduct in office. Mr. Fox, with considerable ingenuity, endeavored to show the difference between his previous motion for censure and the present for removal: the former was based on judicial inquiries; while the latter involved a deliberate question of expediency: a motion for censure required the specification and certainty of offences imputed; that for dismissal from employment might be adopted if the business of the employer could be performed better by another. The whole of the subject lay within a short compass—is lord Sandwich equal to the performance of his official duties with safety and honor to the nation? has he hitherto shown this? what reason is there for supposing, that he who has failed in his past duties will act more ably for the future?

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His lordship's defence was chiefly undertaken by lord Mulgrave, who convinced the house that the first lord of the admiralty deserved praise rather than blame; for when he was raised to his present post, there was not a year's timber in any of the yards; the arsenals were destitute of stores; and the whole navy was in a decaying state: by his activity and sagacity he had broken up an injurious mercantile combination; each yard now contained timber for the consumption of three years; the arsenals were full of stores; and the navy in a very flourishing state: the motion therefore was negatived.

A similar effort for his removal was made in the upper house by lord Bristol, who argued that the naval service was neglected in all its departments, and vast sums shamefully squandered, without any

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adequate provision for national defence: the navy had rapidly decayed since the time of lord Hawke, though its expenses had enormously increased.

Lord Sandwich in reply observed, that he was only jointly responsible for the employment of the navy, which was settled in the cabinet, and sanctioned by the king: he was answerable only for the use or abuse of the means placed peculiarly in his hands. He justified the increase of expense by the increased magnitude of the ships employed, and accounted for temporary wants by the fires which had occurred in the dock-yards: the stores were nearly six times as large as during the administration of his predecessor; at which time ships were built of green timber, and were soon unfit for service; whereas now they were formed of the best materials, and well equipped. The motion was rejected by seventy-eight against thirty-three; with a short protest signed by twenty-five peers, and a longer by the earl of Bristol.

Invectives however still continued against the administration of the navy, and the character of the first lord: in the upper house the duke of Richmond made several motions, and examined several witnesses, reflecting on his lordship's personal character regarding the management of Greenwich-hospital; but, as it has been observed, parliamentary inquiries into the conduct of ministers had now become mere matters of form: the grossest neglect and mistakes were glossed over by plausibility, and the best-founded charges evaded by round assertions.¹

Investigation of
general and
lord Howe.

Considerable censure having been cast on general Howe, both he and his noble brother took advantage of a committee of the house on the American war, to urge an inquiry into their conduct, as the surest means of vindicating their character: lord North replied, that as government had advanced no charge against them, no inquiry for the purpose of vindication was necessary; but though he did not approve, he

¹ Lord North's Administration, p. 348. With regard to Greenwich-hospital, very little attention seems to have been paid to the comfort of its inmates until Rodney was made governor — See his Life, vol. i. p. 102—104.

would not oppose it; and readily assented to the production of papers: in these was included the whole correspondence between ministers and commanders in America, from 1775 to 1778; also documents tending to show the state of the army at different periods, with the actual movements and operations, as well as the different plans of action.

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Ministers, apprehending that their own counsels, and not the conduct of commanders, was the real object of scrutiny, now proposed that the examination of witnesses should be confined to military affairs; and on the sixth of May, lord Cornwallis, general Grey, sir A. S. Hammond, major Montresor, chief engineer, and sir G. Osborne were examined. The result of their evidence was, that the force sent out to the colonies was at no time equal to their subjugation; that the grand difficulty arose from a general hostility in the people to the British government, and the natural obstructions of the country: their accounts of particular actions tended to justify the conduct of the general, who also endeavored to prove that he had uniformly stated to the secretary for America the utter impossibility of reducing that country without a larger force; that he had accompanied his proposed plan for the campaign of 1777 with a request for 20,000, or at least 15,000 additional troops, as indispensable; but that the minister had uniformly over-rated the number of loyalists, and had not sent a fifth part of the reinforcement required: concerning the northern expedition, no concert had been proposed between him and general Burgoyne; nor did he suppose that any co-operation was expected from him, until a letter from the secretary, which reached him in the Chesapeake, expressed a hope that he might be able to assist.

Ministers, under these charges, determined to call witnesses for the vindication of their own conduct; the principal of whom were major-general Robertson, deputy-governor of New York, and Mr. Joseph Galloway, an American lawyer, who, after having been a member of the first congress, had joined the British

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army. The testimony of the former of these gentlemen rather expressed general disapprobation of sir William Howe's conduct, than advanced particular charges; and it appeared, from the post he held, that he had not obtained many opportunities of observing distant operations of the army. Mr. Galloway's accusations included the various topics of error or misconduct which had been so repeatedly alleged against the general; but, as he was not a military man, his opinions carried with them very little authority. One of his assertions, that four-fifths of the Americans were zealously attached to the British government, tended much to weaken the credibility of the rest: had that been the case, not a single British soldier would have been necessary to put down the revolt: respecting the proceedings of congress, in which he had borne a part, his ignorance was remarkable.

Sir William having requested leave to call witnesses who might controvert Mr. Galloway's assertions, ministers objected to this mode, as productive of too much delay: he was allowed however to cross-examine the witness, and a day for this purpose was fixed; but, not attending at the appointed hour, the committee was suddenly dissolved, and the question at issue left undecided.

Whatever estimate may be formed of sir William Howe's merit and exertions, the inquiry proved that ministers exhibited both ignorance and mis-statements regarding the sentiments of the colonists; also, that they had not sent to America the forces required: nor was it honorable to them, that Mr. Galloway and others received pensions for the part they had taken in this affair; since, if ministers thought the general innocent, it was worse than mean so to reward his calumniators; if guilty, they ought to have taken farther steps to establish his delinquencies.

Consideration of
general
Burgoyne's
conduct.

During these inquiries, general Burgoyne's conduct also came under consideration. By the examination of sir Guy Carleton, and other witnesses, it was proved that, in his unfortunate expedition, he had uniformly acted with bravery and skill, and had deservedly

endeared himself to his army: no attempt was made to impeach these facts; for ministers feared lest the complete exculpation of the commander might involve them in disagreeable consequences; they manifested much anxiety to get him out of the country, and caused repeated notices to be sent to him, that it was his majesty's pleasure he should return to his army at Boston: thus finding it impossible much longer to defer the sentence of exile, he emancipated himself from their authority by throwing up all the appointments which he held under the crown.

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Riots in Scotland, arising from groundless apprehensions concerning popery, were by the opposition made subjects of accusation against ministers. The Roman catholic bill, which passed in the last session, excited great alarm in that country, as it was supposed to be the intention of parliament to extend relief to the Scotch papists: at Edinburgh and Glasgow, mobs set fire to popish chapels and dwelling-houses; being abetted in these acts of persecution by zealots of higher rank and education. The sufferers requested Mr. Burke to present a petition to the house, praying compensation for their losses; in promoting which, he and his friends ascribed these violent proceedings to the supineness of government; but were unable to establish proofs of their assertion.

Riots in
Scotland.

Very early in the session, lord Nugent brought the subject of Irish affairs under the notice of parliament; stating that the interruption of American commerce had driven the manufacturers and laborers of Ireland to unexampled distress, lowered the value of lands, prevented the payment of rents, and endangered the whole social system: accordingly, on the nineteenth of January, he gave notice of his intention to move for the establishment of a cotton manufactory in Ireland, with a power of exportation to Great Britain, and an open trade to America, the West Indies, and Africa: a committee was afterwards formed to consider the acts of parliament relating to the importation of sugars into Ireland; but the intended relief being, as usual, counteracted by the opposition of several mer-

Debates on
the trade
of Ireland.

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cantile and manufacturing towns, dwindled down to a pecuniary grant, with two acts for encouraging the growth of tobacco and hemp, and the manufacture of linen. The merchants of Dublin, as well as many other towns and counties, expressed indignation at this unjust, illiberal, and impolitic opposition of self-interested bodies; resolving neither directly nor indirectly, to import or use any British goods, which could be produced or manufactured at home, until a more just and enlightened policy should actuate those who opposed all regulations in favor of the trade of Ireland.

But a far more effectual instrument for loosening the bonds of Irish dependency than the vote of a mercantile assembly, was now prepared in the establishment of armed volunteers, who began to spread themselves over the whole country. Rumors of a meditated invasion by France, the naval superiority of that power, and a diminution of the regular forces in Ireland by draughts for America, impelled the maritime towns to demand protection. Government, pressed on all sides by difficulties, and informed by the lord-lieutenant that the exhausted state of the public revenues rendered it impracticable to embody a militia, told the people, that they might take measures to protect themselves: they obeyed the call with alacrity; and corps were embodied, equipped, and disciplined, by the people at their own expense; so that Ireland, throughout its provinces, especially those of the south, exhibited the animating spectacle of a nation in arms. 'You have sown the serpent's teeth,' said Hussey Burgh, an orator of the day, to ministers; 'and they have sprung up armed men.'

'The war of America,' according to an eloquent writer,² 'was not an ordinary contest, but a struggle for a principle; and the sympathetic influence of that principle was felt by the people of Ireland, even while they arrayed themselves against those enemies which the struggle had brought against their country, as a part of the empire. 'A voice from America,' to use

² Dr. Miller, in his *History philosophically considered*, vol. iv. p. 468.

the animated language of Mr. Flood, 'shouted to liberty;' the shout was eagerly caught by an impoverished people, who saw so close an analogy in their own calamities; and being now armed for their own defence, felt that they possessed the power of causing their interests to be consulted by the common government.' Then were seen the effects of that long sighted policy, which, when lord North asked for 4000 men from the military strength of Ireland, cheerfully granted the request, but steadily refused to have them replaced by foreign mercenaries: in fact, government, though it continued to wield the sceptre, had transferred the sword to its own subjects, and given them the power of vindicating their rights.

When the discussion of Irish affairs ceased in the commons, the marquis of Rockingham introduced it in the house of lords, by moving an address for documents which might enable parliament to pursue measures for promoting the common strength, wealth, and commerce of both realms: he took a severe review of the revenue, trade, and government, since the year 1755, and inveighed against ministers on the subject of military associations: the necessity for them should have been prevented, or the people should have been legally commissioned, and enabled to bear arms: such combinations would probably repel invasion; but the same spirit might be exerted in resisting oppression and injustice. The address was agreed to; but though two debates ensued, no effectual measure was adopted: the president of the council however went so far as to pledge himself, that a plan for the relief of Ireland should be taken into consideration, to be laid before parliament after the recess.

At a late period of the session, when no farther business was expected, the commons were informed that the Spanish ambassador, count d'Almadovar, had withdrawn from London, after delivering a hostile manifesto; and this, with a message from the king, was laid before the house next day. His majesty declared that he had uniformly and sincerely desired to cultivate peace with the court of Madrid,

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Spain.

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and that he saw with surprise the misrepresented grievances alleged in justification of its intended hostility: he relied therefore on the zeal and spirit of parliament to defeat the intentions of those who were enemies to his crown, as well as to the rights and interests of his people. For some time past, Spain, through her ambassador, had been earnestly pressing on the British government her good offices as a mediator; and negotiations had been carried on, with this aim, up to the very time of the count d'Almadovar's departure. Beside the absence of all provocation, she had the strongest political reasons against a rupture with Great Britain, or an alliance with the free spirits of those transatlantic provinces adjoining her bigoted population: she had no view in extending her commerce, and might have secretly assisted France in clandestine aids and supplies; but the dexterity of this latter power, which may truly be called the curse of Spain, and never more so than at the present day, induced her ally to decide in favor of open hostilities: even before the resolution of Spain was formed, France boasted of success in such a manner as to embarrass the cabinet of Madrid, whose final determination was not marked by the promptitude of vigor, but by the rashness of suicidal fear; flying into the arms of danger to escape the horrors of doubt. Five days before he delivered his orders to quit England, the count d'Almadovar had not the slightest suspicion that his diplomatic mission was so soon to terminate; and while the French ambassador at Vienna loudly proclaimed the success of his court, in engaging a new enemy against Great Britain, the Spanish ambassador unreservedly declared that he had not received any communication on the subject.³

Preparations for the siege of Gibraltar, which speedily followed this hostile declaration of Spain, showed at once the main object of her wishes, and the bait held out by her crafty ally: so far, however from benefiting her cause by drawing Spain into the contest, France raised the spirits of the British people,

³ Adolphus, vol. ii. p. 148.

with whom a Spanish war, with its rich prospects of plunder, was always popular. The only martial enterprise undertaken by the French in Europe was an ill-digested and fruitless attempt on Jersey; but their fleet, profiting by the absence of the British squadron, and gaining the coast of Spain before her manifesto was issued, had effected a junction with her naval armament. About this time the celebrated treaty of The Armed Neutrality was projected against our code of maritime law, the principles of which have always been a source of irritation to foreign powers. The author of this confederacy was the empress Catharine, though she had the art to make Mr. Harris believe that it originated with Sweden, and some other northern powers, who solicited her to join them.⁴ The announcement however of so formidable a league was left to have its due effect upon our envoy; and then the favorite scheme of establishing a Greek empire was deliberately broached to him by the empress herself in a private interview. He mentions this to lord Weymouth, 'not (he says) for the sake of repeating with ostentation the marks of distinction with which she honored him, but with a view of hinting, that if his majesty should stand in indispensable need of assistance from this quarter, the only way of obtaining it would be by encouraging this *romantic* idea.' He then proceeds to observe, 'she is now so warmly bent on it, that such a conduct, dexterously managed, would give us the primest hold of this court; and as its execution, whenever seriously planned, would instantly appear impracticable, we need not be apprehensive of having engaged ourselves too far in an unpleasant transaction.'⁵ Such are the arts of diplomacy.

In the British house of commons, the address on occasion of the Spanish manifesto was unanimously agreed to; but a second, moved by lord John Cavendish, requesting the king to bring together his fleets and armies, and exert the whole national force

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⁴ See Lord Malmesbury's Diary, vol. i. pp. 219—223.

⁵ Ibid. pp. 237—8.

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against the house of Bourbon, was rejected. In the upper house, lord Abingdon, convinced that the grievances of the people could only be removed by the expulsion of ministers, moved an amendment to that effect, which was lost; as also was another, not much differing from it, brought forward by the duke of Richmond and supported by lord Shelburne. One of the measures proposed by administration for the approaching crisis, was a bill for doubling the militia, and enabling individuals to raise loyal corps. This was combated, as a measure indicating national weakness, and oppressive to the country; but though it passed the commons, the clause regarding the militia was rejected in the lords by a considerable majority: when it came back, the lower house was twice divided by attempts to reject it, as a money-bill, unconstitutionally amended by the peers; but these efforts were ineffectual.

At a late hour of the night on the twenty-third of June, Mr. Wedderburne moved to bring in a grievous bill for manning the navy, by recalling protections granted to certain descriptions of seamen, watermen, and their apprentices; also by taking away his right of habeas corpus from every person of those classes impressed since the delivery of the royal message regarding Spain: the motion at so late an hour was intended to prevent disclosure, and obtain an ample supply of seamen for the fleet: the principle of this bill did not escape severe animadversion, as a violation of sacred rights, and a treacherous irruption into the dwelling-houses of citizens; but it passed both houses, though not without two protests from that of the lords. As at this period, the impressment of seamen was often accompanied by circumstances of treachery, force, and cruelty, disgraceful to civilised society, large subscriptions were entered into for giving bounties to sailors, especially by the East India company; which also undertook to build and equip three ships of the line for the royal navy.

French and
English
fleets in the
channel.

But no exertions could raise the British fleet to an equality with the combined squadrons opposed to it:

these, amounting to more than sixty sail of the line, with almost an equal number of frigates and smaller vessels, steered for the channel, where sir Charles Hardy, who had been taken from the command of Greenwich-hospital to succeed Keppel, was cruising with a fleet consisting of thirty-eight ships of the line, and less than its due proportion of frigates. The enemy passed him about the middle of August, without either party discovering the other, and proceeded as far as Plymouth, where they created general alarm, and captured the *Ardent* of sixty-four guns, which mistook them for the British fleet. It was afterwards discovered, that a place of such importance as Plymouth, had been so neglected as to be utterly incapable of making any effectual defence: the cannon balls were found too large for the bore of the guns; even flints for muskets were wanting; and the future navies of the country were exposed to the destroying vengeance of a rival: supineness, or powerful applications, are said to have suppressed all judicial inquiry into the causes of this neglect.⁶ On the last day of August, sir Charles Hardy endeavored to entice the enemy into a narrower part of the channel; but they declined a combat: their crews were said to be sickly, their ships in bad condition, and their commanders influenced by jealousy. As the season also for equinoctial gales was fast approaching, the count d'Orvilliers thought it prudent to quit the channel early in September, with the disgrace of having effected no other object, except that of mortifying the pride of Britain by menacing her shores. Happily, a defect of intelligence, or of mutual confidence, in the combined squadrons, obviated ministerial neglect, and saved the country from a calamity, which might have shaken, not only the administration, but the throne itself.

The session of parliament terminated on the third of July: the supplies for 1779 had been stated by the ministers earlier than usual, on the twenty-fourth of February; so that no provision was made for raising

⁶ Lord North's Administration, p. 367.

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a force against the attacks of Spain. The services of the year were then estimated to require £15,729,654: the number of seamen was augmented to 70,000, and the land forces to 30,346. The annual interest, payable on money borrowed, amounted to £472,500; to raise which an additional duty of five per cent. was laid on the full produce of the excise; beer, ale, soap, candles, and hides being excepted; a tax on post-horses of one penny per mile; and an additional duty of five per cent. on cambrics:⁷ £60,527 was this year appropriated to the relief of American refugees.

Affairs in
the West
Indies.

Meanwhile the transatlantic war was carried on with various success: the junction of admirals Byron and Barrington reduced the count d'Estaing to act on the defensive; so that during five months no invitation or insult could draw him from his retreat at Martinique. In this interval both fleets received reinforcements, the English under admiral Rowley, and the French under the count de Grasse: they remained however inactive, till a valuable fleet of homeward-bound merchantmen, collected at St. Christopher's, drew Byron from his station, in order to convoy them to a certain latitude: this gave d'Estaing an opportunity of despatching a force against the island of St. Vincent's, where the disposition of the French inhabitants, and of the native Caribbs, who had not forgotten past injuries, was well known. The colony had refused all assistance toward establishing a military force; and the English troops were composed, according to the governor's own expression, 'of the scum of the earth, the refuse of the metropolis, and the sweeping of jails:' such heroes were ill-calculated to oppose a numerous body of highly-disciplined French troops, who, as soon as they disembarked, and were joined by the Caribbs, obliged the governor to capitulate. The good fortune of France now prevailed: la Motte Piquet arrived about this time with another reinforcement; which induced d'Estaing to undertake an expedition, with his whole fleet and 10,000 land forces, against Grenada. The fate of this island, which had but a small garrison, and

⁷ Lord North's Administration, p. 353.

about 400 militia, principally Frenchmen, was inevitable; but the resolute defence made by lord Macartney, in hope of succor, protracted it, until d'Estaing, unwilling to sacrifice time, stormed the lines, and obliged his opponents to retire into the fort: having then forced a commanding height, and turned their own cannon against the British, he insisted on such insolent terms, in answer to the governor's offer of capitulation, that the latter preferred to surrender at discretion; so that the conqueror, irritated by a series of adverse events, and entertaining a personal hatred against the English nation,⁸ sullied his victory by allowing the troops to plunder without restraint.

The return of the British fleet, under admiral Byron, was too late to save this valuable possession; but it interposed seasonably for the relief of Tobago, the only possession now remaining to England of all the islands ceded to her by the treaty of 1763: a partial engagement ensued; for the French, notwithstanding their superiority, avoided close and general conflicts: many of our ships, however, suffered considerable damage, and the admiral received a slight wound; but the enemy was said to have had 1200 men killed and 2000 wounded. Foiled in all attempts to cut off the transports and disabled ships, he retired in the night to Grenada, to the astonishment of the British admiral, who, with a very inferior force, had calmly awaited an attack which was considered inevitable: D'Estaing's alarm was so great, that he would not take possession of two ships of the line, the Lion and the Cornwall, which lay dismasted between the fleets; and, though he afterwards appeared off St. Christopher's, he did not venture to attack the British fleet, which was drawn out to receive him: he showed, indeed, great inattention to seize any advantage; for there is little doubt but that, if he had proceeded immediately to Jamaica, he might have detached that valuable island, which was in a very weak state of defence, from the dominion of Great Britain: he diffused, however, a gene-

Naval engagement.

⁸ He had broken his parole in the last war, and subjected himself to the severe reproaches of British officers.

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ral panic throughout the West Indies, boasting that he was resolved to subdue every island, and was prepared with articles of capitulation for each; but he soon relieved the inhabitants from their fears, by retiring to Cape François in Hispaniola.

The contrivers of a plan, which is persisted in as practicable notwithstanding all failures, must place their ultimate hopes on a change of system or of means: hence it happened that an alteration of schemes, or a system of experiments, was one of the grand characteristics of this war. The northern colonies first afforded an arena for the conflict; next the middle provinces; and it was expected that disappointments there would be compensated by victories in the southern states: these, indeed, not only produced the most valuable and abundant articles of commerce, but were believed to contain a much larger proportion of loyal inhabitants than could be found in the north: to this quarter, therefore, it was resolved to direct our efforts; and during the remainder of the contest, Georgia, the Carolinas, and Virginia became the principal scenes of action.

Operations
in Georgia.

In the former of these provinces, as we have already seen, the first essay had been lately made; for, though in itself it was neither large nor powerful, yet it possessed importance as a granary to the invaders, and as a road to farther progress.

After Lower Georgia had submitted to colonel Campbell, and a great majority of its people had returned to their allegiance, that able officer resolved to prosecute his success by an advance into Upper Georgia, where many were reported as attached to the king's government; wanting only the support of his troops to proclaim their sentiments: in this expedition he met with few interruptions; and on his approach to Augusta, the second city of the province, a body of provincials, under brigadier-general Williamson, quitted the town, and retired across the Savannah. From Augusta he despatched lieutenant-colonel Hamilton toward the frontiers of Carolina, to encourage its loyalists by an assurance of protection.

Alarmed at this rapid progress of the royal army, the provincials made dispositions to arrest it. General Lincoln soon arrived, with a considerable force, on the northern bank of the river; and colonel Campbell, not finding Augusta tenable, retired on Savannah; while Lincoln marched along the northern bank of the river, with a view to cross it, and reconquer Georgia: in the mean time, general Prevost thought this a good opportunity for surprising Charleston; and on the tenth of May, having reached Astley's-ferry, he crossed the river and appeared before that city next day: on the twelfth it was summoned to surrender, but to no purpose. The general, having viewed the lines, which could not be forced without a great loss; knowing, also, that the garrison was more numerous than his troops, and that Lincoln was hastening to its relief, retired towards Georgia, took possession of John's island, which was separated from the continent by a small inlet of the sea, and there posted himself until ammunition should arrive from New York: hearing, however, that Lincoln was advancing to lower Georgia, he departed for Savannah, to defend the fortress, leaving colonel Maitland in command of John's island, with a mixed garrison of about 800 men: but general Lincoln, being apprised of the weak state of this force, advanced on the twentieth of June with about 5000 men to cut it off: an attack on the British piquets first gave the alarm, and colonel Maitland immediately sent two companies of Fraser's highlanders to observe the motions of the enemy: the impetuous valor of these mountaineers hurried them on too far; and their indignant courage forbade them to retreat, though surrounded by a superior force: falling in with the left wing of the provincials, they charged with the claymore, and continued the conflict until all their officers were killed or wounded; and of the two companies only eleven men effected a retreat. This success encouraged the Americans to attack the British lines; and a regiment of Hessians had already given way, when the remaining companies of the highlanders, determined to avenge their fallen comrades, valorously

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stayed the progress of the assailants, and gave a turn to the fortune of the day. Colonel Maitland, skilfully seizing the happy moment, rallied the retreating Hessians, and routed the enemy; who, being dispirited by this unsuccessful attack, attempted no farther operations, until d'Estaing, having learned the posture of affairs from the French consul at Charleston and the governor of Carolina, suddenly arrived on the coast with twenty sail of the line, two fifty-gun ships, and eleven frigates. His appearance was so unexpected, that the Experiment, of fifty guns, and three frigates, fell into his possession.

Informed of the arrival of this powerful auxiliary, Lincoln hastened to join his French allies in the vicinity of Savannah, for the defence of which general Prevost made all possible preparations, and despatched orders for colonel Maitland to join him. D'Estaing, before Lincoln's arrival, demanded the surrender of the city to the arms of France; but its commander, declining to answer a general summons, requested a suspension of arms for twenty-four hours; which was inconsiderately granted by d'Estaing, under an idea that this period was required to draw up terms of capitulation: meantime, colonel Maitland, having made a rapid march, arrived at Savannah; and the general then declared his resolution of defending the place to the utmost extremity. Lincoln having now joined the French troops, the combined armies made dispositions for carrying on the siege: ground was broken on the twenty-third of September, and on the fourth of October batteries were opened; when a request was made that women and children might be permitted to leave the town, to be placed on board vessels in the river, and there await the issue of the siege: but this was cruelly refused by one who now proved himself as deficient in humanity as he had before shown himself destitute of honor.

On the morning of the ninth, d'Estaing made an attack on the British lines: two feigned assaults were intended to draw attention to the centre and left; while the main body, in two columns, turning the

right of the British, should attack the rear. As operations commenced before daylight, one of these columns, mistaking its way, became entangled in a morass near the fortress, and exposed to its fire, which at daybreak was so fiercely poured into its embarrassed ranks, that great numbers fell, and the rest were unable to form: meanwhile, d'Estaing himself, with the other column, advanced against a redoubt; a desperate conflict ensued, and for a few minutes the French and American standards were planted on the parapet; but colonel Maitland, seizing the critical moment, ordered the grenadiers of the sixtieth regiment, with the marines, to charge the enemy, already staggering under an obstinate fire from the redoubt, the different batteries, and the Germaine, armed vessel: this well-timed movement decided the contest; the assailants were driven out of the fosse, and routed with terrible slaughter, leaving behind them in killed and wounded 637 French, and 264 Americans; d'Estaing and the count Pulaski being both wounded, the former slightly, but the latter mortally. The issue of this battle determined that of the siege; for the allies immediately separated, the provincials generally retiring to their homes; while d'Estaing re-embarked his troops and artillery: his fleet was subsequently dispersed by a storm; when he himself sailed with a part of his carefully preserved ships, but very few acquired laurels, to France; the rest returned to the West Indies. In Africa, the French wrested from Great Britain the important settlement of Senegal, which had been taken from them in the year 1758; but this was more than counterbalanced by their losses in the east.

In other parts of America, the British fleet and army were employed in desultory operations, for the purpose of cutting off the resources of the enemy, and pursuing the resolution expressed by the commissioners, 'of making the colonies as little available as possible to their new connexions.' The middle provinces were exposed to the incursions of a detachment under general Matthews, assisted by the fleet, at

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British in-
cursions
against
Virginia.

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this time under the command of sir George Collier, a distinguished officer, who had succeeded admiral Gambier: their first attempt was an expedition to the Chesapeak, and a descent on Virginia, where they demolished Fort Nelson, the grand defence of the American dock-yard at Gosport, which they burned, with all its timber and stores: a similar scene of destruction was exhibited at the town of Suffolk, at Kempe's Landing, Tanner's Creek, and other places; so that the damage done to the provincials in this quarter alone was estimated at half a million sterling: they themselves, on the approach of the invaders, set fire to a ship of twenty-eight guns, ready to be launched; also to two French merchantmen with their cargoes on board; beside which, eight other ships of war on the stocks, and several merchantmen, were burnt by the British troops; the whole number of vessels taken or destroyed during this short expedition amounting to 137. On the return of the troops and squadron from Virginia, they were joined by another detachment under general Vaughan; and, proceeding up the North river, accompanied by sir Henry Clinton, they carried with great gallantry the two posts of Stony Point and Verplank, the importance of which can only be estimated from a description of their position.

Immediately after the ravages committed in these quarters by general Vaughan, Washington had taken measures for obstructing the navigation of the Hudson against the British by an insurmountable barrier: for this purpose, commissioners were appointed to examine the passes of the high lands; and a promontory on the west side of the river, near Fort Montgomery, called West Point, was selected: the Hudson here takes a short bend from east to west, and is considerably contracted in its channel: this defile was accordingly defended by a strong boom thrown across it, and by a range of fortifications ascending to the highest cliff, on which was erected the strongest work, called Fort Putnam, so abundantly stored with all the munitions of war, as to

be made the grand arsenal of the provincial army: eighteen miles below West Point were erected the two forts of Stony Point and Verplank, on the east and west banks of the river, protecting a passage over it, called King's Ferry: these were esteemed the dependencies of West Point, and contributed, with that almost impregnable post, to form the key of the northern provinces. The command of West Point had been conferred on major-general Howe, a veteran officer, in high favor with Washington; also a rigid disciplinarian, and an engineer of the first reputation; by whose consummate skill the works had been completed. Soon after the period of which we are now speaking, Howe, being desirous of more active service under Washington himself, the important post at West Point was committed to general Arnold; who being mutilated by wounds received in several gallant actions, where he had borne a distinguished part, was deemed most worthy of this high honor; while the approbation of congress and the applause of the people fully sanctioned Washington's choice. We have been particular in this description, because it is connected with one of the most deeply interesting events which occurred during the war.

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About the time when the expedition against these posts took place, governor Tryon, supported by sir George Collier, advanced on Connecticut; which, abounding both in men and provisions, was a great support to the American army: the enterprise was intended to convince the colonists that this favored province was not unassailable, and to force their commander from his strong position into the low country, to defend the coast. The British troops first attacked Newhaven, where they took or destroyed the artillery, ammunition, and stores, with all the vessels in harbor; but they spared the town with a commendable humanity: thence they proceeded to Fairfield, where, meeting with a more determined resistance, they laid the place in ashes: they also in this excursion burned East haven, Greenfield, and the flourishing town of Norwalk, together with numerous

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ships and whale-boats, either finished or on the stocks, as well as immense stores of merchandise and other materials. A descent on New London was intended, but postponed; and the fleet fell back on Long Island, to wait for an additional supply of troops and ammunition. Congress, on receiving attestation of the ravages committed in this and other expeditions, directed the marine committee to take effectual measures for carrying into effect their manifesto of October 30, 1778, by burning or destroying towns in Great Britain or the West Indies; but the resolution was never carried into effect: neither was the spirit of the American revolvers daunted by their losses; though it had been supposed, that, by involving them in distress, they would be induced to submit to a power which possessed such terrible means of annoyance: but the temper of the times was unfavorable to such views; the national mind had been worked up to so high a tone, that property comparatively lost its value, and men began even to glory in their sufferings for the cause of independence.

It was not long before a gallant and successful attempt was made by general Wayne to retake Stony Point, the works of which had been much strengthened by order of sir Henry Clinton: the greater part of its base was washed by the Hudson, and the remainder covered by a morass, through which there was only one crossing-place; on the summit of the hill was a fort, mounted with heavy cannon; breast-works were advanced in front of the principal defence; half-way down was a double row of abattis; and in addition, several British vessels of war in the river commanded the ground at the bottom of the height. Washington considered the recovery of this post of primary importance; and on the fifteenth of July, the provincial troops, having left Sandy Beach at noon, arrived in its vicinity about eight o'clock in the evening: their measures had been so well taken, that every person was secured who could give intelligence of their movements; and the hour of midnight was fixed for the assault. At half-past eleven the Americans advanced

in two columns, with unloaded muskets and fixed bayonets; while a forlorn hope of twenty men preceded each, to remove the abattis and other obstructions: the marsh was reached by them undiscovered; the troops rushed to the charge, under a heavy fire of musketry and grape-shot; and, overcoming every obstacle, forced their way at the point of the bayonet; so that without firing a gun they took possession of the fortress. In the attack, general Wayne was wounded by a musket-ball, which grazed his skull: he fell; but instantly rising on one knee, exclaimed, 'Forward, my brave fellows, forward!' Supposing himself mortally wounded, he requested his aides-de-camp to carry him into the fort, that he might die on the spot so gloriously conquered: but he recovered; and for this exploit, received the thanks of congress, and a gold medal.

Stony Point being thus taken, the captors turned its artillery against Verplank's Point, on which they fired with such effect, that the shipping in its vicinity cut cables, and fell down the river. As soon as news of these events arrived at New York, preparations were made to relieve the latter post, and recover the former: it did not however suit the cautious prudence of Washington to risk an engagement for the sake of either; he therefore removed the cannon and stores, and destroyed the works, as far as time allowed; but sir H. Clinton regained Stony Point three days after its capture, and placed in it a strong garrison.

The successful enterprise of general Wayne was followed by the surprise of a British garrison at Paulus-hook, on the Jersey coast: this was effected on the seventeenth of July, by 350 men under major Lee, who killed about thirty, and took 160 prisoners; but the provincials were soon expelled, without having destroyed either the barracks or artillery; and 'their retreat,' as sir H. Clinton observed in his despatch, 'was as disgraceful, as their attack had been spirited and well conducted:' but all these trifling advantages were more than counterbalanced by the disaster which befell the American troops at Penobscot. General

British gar-
rison sur-
prised at
Paulus-
hook.

American
disaster at
Penobscot.

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Maclean had been despatched with 650 men from Halifax; and on the sixteenth of June, he began to construct a fort on the Penobscot river: this occasioned such an alarm at Boston, that the executive government, by an embargo and large bounties, collected a squadron of nineteen armed vessels, with twenty-seven transports, carrying 3000 troops, to attempt its destruction: the British commander was apprised of their intention only four days before their arrival; and though his works were very incomplete, he succeeded in keeping his formidable antagonist at bay for the space of twenty days; while he not only pushed on his fortifications, but harassed the enemy by continual attacks and alarms: at length he obtained information from a deserter, that on the ensuing day a general assault was intended, and every preparation was made to receive it; but in the morning, the garrison had the satisfaction to perceive the enemy deserting their works, and shipping their artillery. The cause of this sudden movement was the appearance of sir George Collier in the *Raisonable*, of sixty-four guns, with five frigates: the Americans at first made a show of resistance, in order to allow their transports time to move up the river and land their troops; but sir George easily took or destroyed the whole of their armed vessels; while their troops, being landed in a desert country, without provisions, and near 100 miles from any human habitation, suffered the most distressing calamities; for, proceeding to contentions among themselves, they lost fifty or sixty of their number in civil strife; and a large proportion perished miserably in the woods. This exploit terminated sir George Collier's career; and when admiral Arbuthnot arrived to take the command, a report that d'Estaing meditated an attack on New York induced Clinton to concentrate his forces, and even to evacuate Rhode Island.

In the midst of such operations, Washington was frequently called on for troops; but he had few to spare; and, had he divided his army, conformably to the wishes of each invaded and distressed colony, he

would have subjected the whole force to be cut up in detail: besides, he apprehended that a main design of his antagonist in these movements was to draw off a large portion of his army from West Point, and favor an attack on that important position. The American general Parsons, though closely connected with Connecticut, where the inhabitants were almost in a state of revolt, through the apparent neglect of Washington and congress, instead of pressing the commander for troops, wrote to him in the following patriotic terms:— 'The British may probably distress the province exceedingly by the ravages they will commit; but I would rather see all the towns on the coast of my country in flames, than the enemy in possession of West Point.' In fact, whatever position Washington selected during this whole contest for his head-quarters, on that appeared to hang the destinies of his country.

In the mean time, a war of devastation was carried on between the Americans and their Indian neighbors: the former had much to revenge; and the retribution they now took was not inferior to the occasion of it. General Sullivan was placed at the head of 5000 men for this purpose; and the savages marched boldly toward the frontiers of their country to meet the invaders; but after an obstinate and bloody conflict on the twenty-ninth of August, they found themselves unable to resist such a force, and abandoned their settlements to the havoc that ensued: eighteen of their towns were reduced to ashes, and more than 150,000 bushels of corn destroyed; their gardens were all laid waste, and even the fruit trees cut down: nothing was suffered to remain that could serve for human sustenance. While this terrible chastisement was inflicted on the tribes northward of Pennsylvania and New York, similar expeditions were sent out, for the same purpose, from the southern provinces.

As Spain had acted very insidiously in Europe, concealing all her hostile intentions until she had completed her preparations, it was not surprising to see her commencing hostilities on the other side of the Atlantic with every advantage of early informa-

Spanish incursions.

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tion and previous design. As soon as war was announced, Don Bernardo de Galves, governor of Louisiana, made an incursion into West Florida, and invested a fort built to defend the frontier, near the mouth of the Iberville: this he captured after a siege of nine days; and in its fall was involved the fate of every British settlement on the Mississippi.⁹

With similar alacrity the Spaniards commenced hostilities against British cutters of logwood in the bay of Honduras, taking many prisoners, whom they treated with great barbarity, while they expelled the remainder from their principal settlements at St. George's Key. Governor Dalling despatched captain Dalrymple to the Mosquito shore to collect assistance in men and arms; and when this officer had completed that part of his task, he met at sea a squadron of three frigates, under commodore Luttrell, with whom, as St. George's had been already retaken, he concerted an attack on Omoa, the very key of the whole Honduras settlement. With about 500 men they attempted to surprise the fortress; but being discovered, were driven to the necessity of making regular approaches: after some days of fruitless labor, they determined to attempt an escalade; but were again discovered, and exposed to a tremendous fire: one ladder was destroyed; but, by means of others, two seamen gained the summit of the wall, and presented their pieces, without firing, till the rest ascended: no persuasions of their officers could keep the terrified Spaniards at their stations; and the governor, humbly supplicating for the lives of himself and his garrison, surrendered his sword with the keys of the fort: the treasure had been removed; but a galleon and other vessels captured in the harbor were valued at 3,000,000 of dollars. The Spaniards offered to redeem at any price 250 quintals of mercury, an article necessary for the purification of their silver ore; and they also made liberal offers for ransoming the fort: but the captors, preferring the public good to private emolument,

⁹ In the ensuing year the Spaniards made a second incursion, and captured Fort Mobile, after an honorable resistance.

refused all terms; though they generously restored the plate found in the churches, to procure the liberation of their countrymen taken at George's Key: their disinterested views, however, for the good of their country were frustrated, owing to the subsequent evacuation of the fort, on account of its unhealthy situation.

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In general, the commerce of Great Britain was amply protected, while her enemies suffered great losses. The most active American partisan was the celebrated Paul Jones, who, on the twenty-third of September, attacked the Baltic fleet, convoyed by the *Serapis* of forty-four guns, commanded by captain Pierson, and the *Countess of Scarborough*, of twenty guns, under captain Piercy: the enemy's squadron consisted of the *Bon Homme Richard* of forty guns, commanded by Jones, two frigates of thirty-six and thirty-two, a brig of twelve, and an armed cutter: when this armament appeared in sight, captain Pierson made a signal for his convoy to disperse and gain the nearest ports, while the two brave commanders encountered the enemy's overwhelming force. Paul Jones's ship and the *Serapis* were brought into such a situation that the muzzles of their guns came in contact: the desperate contest lasted three hours; during which the *Serapis* was several times set on fire, and all her officers and men stationed abaft the mainmast were blown up by an explosion of cartridges; while the guns in that quarter were rendered unserviceable, and the ship raked fore and aft by another frigate: in this state, captain Pierson was obliged to strike his colors; and the *Countess of Scarborough*, after a conflict no less resolute, also surrendered. The loss on board the *Serapis* was very great; but that of the *Bon Homme Richard* was terrific: all the guns on her lower deck were dismounted; she had seven feet of water in the hold; and her deck streamed with the blood of 336 men, killed or wounded in the action: she sank in two days; and her brutal commander suffered several wounded men to be buried with her in the deep. The prizes were carried by their captor into the Texel;

Action between Paul Jones and captain Pierson.

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and the king of France disgraced the order of merit by conferring it on his bravo: congress, with more propriety, acknowledged his services by a vote of thanks, and promotion to the command of a new ship, called the *America*. A strong memorial was presented to the States General by sir Joseph Yorke; who urged in the most pressing terms, 'that those ships and their crews might be stopped and delivered up, which the pirate Jones, a rebel subject and criminal of the state, had taken:' but their high mightinesses, in reply, plainly indicated their partiality to the American cause; declaring 'that they would in no respect pretend to judge of the legality or illegality of the actions of those who on the open seas have taken vessels not belonging to the republic, and brought them into its ports; also that they were not authorised to pass judgment on the prizes or the person of Paul Jones.'

Rodney
commander
of the West
India fleet.

An avenger however was nigh at hand, who soon brought the enemies of Great Britain to tremble at her naval superiority. On the first of October, sir George Rodney was appointed commander in chief of his majesty's Leeward Islands and Barbadoes; and as great anxiety began to be entertained by government for the fate of Gibraltar, now besieged by the French and Spanish forces, and reduced to great straits for want of provisions, the admiral proceeded with all haste to Portsmouth, in order to expedite the equipment of his fleet; having previously addressed a letter to lord Sandwich, containing many useful suggestions, very modestly and unostentatiously offered.¹⁰ At this

¹⁰ See *Life of Rodney*, vol. i. p. 194. 'On assuming his command,' says his biographer, 'his patience was put to a severe trial by the extraordinary want of diligence in the different public departments at Portsmouth and Plymouth, as well as by the absence of proper zeal and activity in the officers of his fleet; many of whom behaved to him with a marked disrespect and want of cordiality; which, soon after the arrival of the fleet in the West Indies, produced the most serious consequences; and, had they not been checked in time by the firmness of the commander, might have produced results most disastrous to the nation.'—p. 203. Sir Nathaniel Wraxall, in his entertaining *Memoirs*, gives the following account of his interviews with sir George Rodney at this precise period:—'I passed much time with him at his residence in Cleveland-row, down to the very moment of his departure. Naturally sanguine and confident, he anticipated in his daily conversation, with a sort of certainty, the future success which he should obtain over the enemy: and he had not only already conceived, but had delineated on paper, the naval manœuvre of breaking or intersecting the line, to which he was afterwards

time an unusual gloom overspread the public mind, chiefly on account of the humiliating state of our navy, which had so long been accustomed to ride triumphant on the ocean: even the king, notwithstanding his many private virtues, began to share the unpopularity of ministers, over whose deliberations and plans he was known to exert a more than ordinary influence: under such circumstances, their desire for sir George to proceed on his mission was naturally great. 'For God's sake,' says lord Sandwich, in his correspondence, 'go to sea without delay: you cannot conceive the importance it is to yourself, and to me, and to the public, that you should not lose this fair wind: if you do, I shall not only hear of it in parliament, but in places to which I pay more attention.'¹¹ It must have been a circumstance highly gratifying to the admiral, that he was on this occasion selected by his majesty to introduce his third son, prince William Henry, afterwards our gracious sovereign, to the naval service of his country: his royal highness was placed as a midshipman on board the Prince George, bearing the flag of rear-admiral Digby, in order that he might acquire a thorough knowledge of his profession by a practical experience of its duties; learning how to obey as well as to command. The wind proving favorable on the twenty-ninth of December, the admiral got his fleet under sail; and ere ten days had elapsed, he had the good fortune to find himself in contact with the enemy.

Although, by not preventing the American contest, the British government gave to the Bourbon families an opportunity of displaying their ambitious designs; yet many of its measures, under calamitous circumstances, had the merit of lessening and counteracting

State of
British go-
vernment.

indebted in an eminent degree for his brilliant victory over De Grasse.'—vol. i. p. 319.

¹¹ Life of Rodney, vol. i. p. 205. Let us be just towards all, even public defaulters. The following passage in this very letter will show how difficult at that time it must have been for a man in power to do his duty:—'There is another young man of fashion now in your squadron, concerning whom I am tormented to death: I cannot do any thing for him at home; therefore if you could contrive, by some means or other, to give him rank, you will infinitely oblige me; I mean lord Robert Manners, who is a lieutenant on board the Alcide.' This however was a most gallant young nobleman, who fell gloriously in his country's cause at the early age of twenty-four.

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the evils to which it was exposed. In the late campaign, the most threatening which England ever experienced, she had warded off the dangers that beset her; and her spirited resistance to a mighty combination now commanded the respect of European nations: her resources seemed to grow with her necessities; and her present exertions tended to inspire hopes of conquest, which were kept alive by indignation and resentment.

Parliament met on the twenty-fifth of November. During the recess, some partial changes had taken place in administration: earl Gower, lord president of the council, having resigned that office in disgust, was succeeded by earl Bathurst; the earl of Hillsborough was appointed secretary of state for the southern department, in the room of lord Weymouth; and lord Stormont for the northern, as successor to the earl of Suffolk: but the three chief ministers who presided over the treasury, American affairs, and the admiralty, still retained their offices. Mr. Thurlow had been rewarded with the great seal, and a peerage, last session; Mr. Wedderburne obtaining the vacant seat of attorney general, to whom Mr. Wallace succeeded as solicitor general; the earl of Carlisle was nominated first lord of trade and plantations. Throughout the summer, the king continued, in his correspondence with lord North, to deprecate the admission of any man into administration who was inclined to acknowledge the independence of America; even asserting, that he expected from every candidate for office a declaration, *signed under his own hand*, that he was resolved to keep the empire intire. 'No man in my dominions,' he says, 'desires solid peace more than I do; but no inclination to get out of our present difficulties, which certainly keep my mind very far from a state of ease, can incline me to enter into the destruction of the empire.' Lord North frequently says, 'the advantages to be gained by this contest never can repay the expense;' and owns that, 'in any war, be it ever so successful, if persons will sit down and weigh the expense, they will find, as in the last, that it has impoverished the state which was enriched.' 'It is

however necessary,' replies his majesty, 'for those whom Providence has placed in my situation, to consider whether expenses, though very great, are not sometimes necessary, to prevent what would be more ruinous than any loss of money. I cannot help regarding the present contest with America as the most serious in which this country has ever engaged: it contains such a train of consequences, as must be examined to feel its real weight. Whether the laying on a tax deserved all the evils that have arisen from it, no man can allege, without being thought more fit for Bedlam than a seat in the senate; but, step by step, the demands of America have risen: independence is their object; which every man, not willing to sacrifice all objects to a momentary and inglorious peace, must concur with me in thinking this country can never submit to. Should America succeed in that, the West Indies must follow, not indeed in independence, but in dependence on America: Ireland would soon go; and this island reduce itself to a poor island indeed.'

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The most important consequences resulting from the powerful combination formed against Great Britain appeared in Ireland. The insults offered to our coasts, and the alarm excited in the public mind, afforded great encouragement to the volunteer associations in that kingdom: the popular leaders of Irish politics gave great encouragement to these establishments; the duke of Leinster accepted the command of the Dublin corps; and the earl of Charlemont, whose political life was devoted to the interests of his country, became leader of the whole: in the mean time, the eloquence of Grattan supplied all that was wanted to confirm the new-born patriotism of many who had been habitual supporters of government; by him the glowing ardor of national sentiment was poured into the senate in its most concentrated form; and all speculations of private interest withered away before it.

Irish
affairs.

The prevailing wish was a free trade with the whole world; and in support of this pretension public resolutions were passed, and arguments abundantly sup-

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plied by the press; while the conduct of the British government, and the commercial spirit of the nation, were reviled in the most acrimonious terms.

On the twelfth of October, the lord lieutenant opened the session of parliament with a very conciliatory speech; assuring the members, that his majesty, amidst all his cares, had directed his attention to the interests and distresses of Ireland; that he had remitted a large sum, in specie, for the defence of the kingdom; and would cheerfully co-operate in promoting the common welfare of all his subjects. While the decline of the revenue and the arrears of government were noticed, the volunteer associations were approved; and the attention of the legislature was directed to various domestic regulations; among others, to the protestant charter schools, and the linen manufacture.

The address was debated with great vehemence; the speech being declared by Mr. Grattan to promise much, while it offered nothing; and some members disclaimed the authority of the lords and commons of Great Britain to interfere at all in the legislation of Ireland: an amendment was carried, 'that in the present posture of affairs temporising expedients were of no avail; for the nation could only be saved by the grant of free and unlimited trade to all her ports.' The address was carried up with great parade and popular acclamation: the duke of Leinster escorted the speaker from the house of parliament to the castle; the streets being lined with volunteers, armed, and in uniform.

Inquiries were next instituted regarding the pension list, secret service, national debt, money voted for defence of the realm, and the produce of the hearth tax: a committee was also appointed to take the whole state of government into consideration; but fearing some impediment, either from the British privy council, or its supporters in Ireland, respecting the main object of obtaining a free trade, the popular party proposed to keep government in a state of dependence, by passing a money-bill to supply the exchequer for six months only. As this proposal met with strong opposition, violent riots ensued; while an immense

mob surrounded the parliament house with clamors for a free trade and a short money-bill, insulted the members as they returned from the house, and forcibly bound some by an oath to support their favorite measures: but the fury of this popular storm fell chiefly on Mr. Scott, the attorney general, whose mansion was reduced to a state of ruin, while he himself was threatened anonymously with destruction, if he gave his vote against the short money-bill. The civil arm of the law was unable to restrain the tumult: the military force had been superseded by volunteer associations; and these latter declined to interfere, except by an unarmed deputation from one of their corps: the attorney general met with little sympathy from the house of commons; though, after a tumultuous debate, they agreed to address the lord lieutenant for a proclamation to apprehend the rioters: but the short money-bill passed, and even received the sanction of the English privy-council.

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DECLARATION OF INDEPENDENCE OF THE UNITED STATES OF AMERICA, JULY 4, 1776.

WHEN in the course of human events it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth the separate and equal station to which the laws of nature and of nature's God entitle them; a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident:—that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; and whenever any form of government becomes destructive of these ends, it is the right of the people to alter and abolish it, and to institute a new government; laying its foundation on such principles, and organising its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence indeed will dictate, that governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed: but when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies, and such is now the necessity which constrains them to alter their former systems of government.

The history of the present king of Great Britain is a history of

repeated injuries and usurpations ; all having in direct object the establishment of an absolute tyranny over these states : to prove this, let facts be submitted to a candid world.

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained ; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the rights of representation in the legislature ;—a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representatives' houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time after such dissolution to cause others to be created, whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise ; the state remaining, in the mean time, exposed to all the dangers of invasions from without, and convulsions within.

He has endeavored to prevent the population of these states ; for that purpose obstructing the laws for the naturalisation of foreigners, refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone for the tenure of their offices and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers, to harass our people and eat out their subsistence.

He has kept among us in times of peace standing armies, without the consent of our legislatures.

He has affected to render the military independent of, and superior to, the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws ; giving his consent to their pretended acts of legislation :

For quartering large bodies of troops among us :

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states :

For cutting off our trade with all parts of the world :

For imposing taxes on us without our consent :

For depriving us in many cases of the benefit of trial by jury :

For transporting us beyond seas to be tried for pretended offences :

For abolishing the free system of English laws in a neighboring province; establishing therein an arbitrary government, and enlarging its boundaries; so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies:

For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments:

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here by declaring us out of his protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny, already begun with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilised nation.

He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrection amongst us, and has endeavored to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions, we have petitioned for redress in the most humble terms: our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in attention to our British brethren: we have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us: we have reminded them of the circumstances of our emigration and settlement here: we have appealed to their native justice and magnanimity: and we have conjured them by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connexions and correspondence. They too have been deaf to the voice of justice and consanguinity: we must, therefore, acquiesce in the necessity which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace friends.

We, therefore, the representatives of the United States of America, in general congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name, and by the authority of the good people of these colonies, solemnly publish and declare, that these united colonies are, and of right ought to be, free and independent states; and that they are absolved from all allegiance to the British crown; and that all

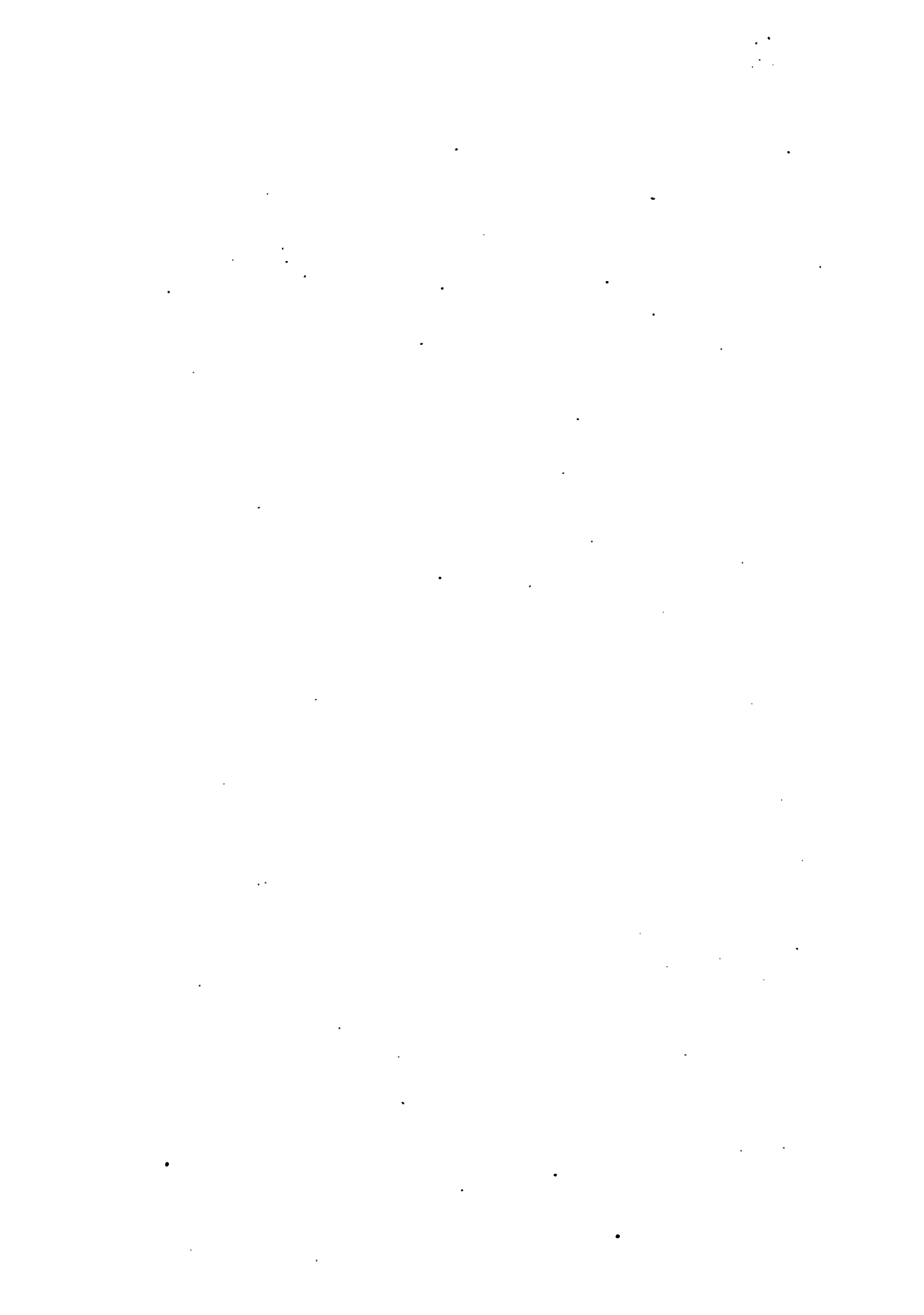
political connexion between them and the state of Great Britain is, and ought to be totally dissolved; and that, as free and independent states, they have full power to levy war, conclude peace, contract alliances, establish commerce, and do all other acts and things, which independent states may of right do: and for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

Signed, by order, and in behalf of the congress,

JOHN HANCOCK, President.

END OF VOL. II.

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